

INTRADEPARTMENTAL CORRESPONDENCE

August 6, 2020
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TO: The Honorable Board of Police Commissioners

FROM: Chief of Police

SUBJECT: OFFICER INVOLVED SHOOTING FID NO. 049-19

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OFFICE OF THE INSPECTOR GENERAL

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Honorable Members:

The following is my review, analysis, and findings for Officer Involved Shooting (OIS), Force Investigation Division (FID) No. 049-19. A Use of Force Review Board (UOFRB) was convened on this matter on July 20, 2020. In this case, the recommended findings were not unanimous, with minority opinions rendered regarding the Tactics Findings for Officer J. Romines, Serial No. 34946, Gang and Narcotics Division (GND), Gang Field Unit (GFU), and Officer A. Vela, Serial No. 38872, Van Nuys Patrol Division.

I have carefully weighed each opinion, considered the case in its entirety, and adopted the minority opinion for the Tactics Finding for Officer Romines and the majority opinion for the Tactics Finding for Officer Vela. I hereby submit my findings in accordance with Police Commission policy.

SUMMARY¹

On October 14, 2019, at approximately 1225 hours, Van Nuys Patrol Division uniformed officers responded to a radio call of an "*Ambulance shooting just occurred*" at 14640 Burbank Boulevard. When the officers arrived at scene they located a male victim suffering from multiple gunshot wounds and determined the suspect had fled the location prior to their arrival. Los Angeles Fire Department (LAFD) personnel were called to the location and determined the victim was deceased. Operations-Valley Bureau (OVb), Homicide detectives responded to the location, investigated the homicide, and documented the investigation on LAPD Investigative Report (IR), Division of Records (DR) No. 1909-18317. During their investigation, OVb Homicide detectives determined the murder weapon to be a .380 caliber semi-automatic handgun, which was not recovered at scene.

On October 15, 2019, at approximately 2240 hours, Officers J. De Leon, Serial No. 39040 and D. Eames, Serial No. 43679, Van Nuys Patrol Division, were in full police uniform, driving a marked black and white police vehicle and responded to a radio call of a "Robbery in progress" at the Amar Liquor Store, located at 14900 Burbank Boulevard. Officers De Leon and Eames

¹ The summary and the investigation completed by FID for this incident have been provided to the Board of Police Commissioners.

determined a male, later identified as Lazzeri Frazier Jr., entered the liquor store, produced a handgun, threatened to kill the cashier and robbed the liquor store. The robbery was recorded on the liquor store's closed circuit television surveillance camera system and captured Frazier Jr. flee the location before Officers De Leon and Eames arrived at scene. As a result of their investigation, Officers De Leon and Eames completed a Robbery IR, DR No. 1909-18390.

According to the FID investigation, Officers A. Clark, Serial No. 39087, and K. Oxford, Serial No. 39772, Van Nuys Patrol Division, assisted Officers De Leon and Eames with their robbery investigation. As Officers Clark and Oxford canvassed the surrounding area for the robbery suspect, "A man causing a disturbance" radio call was broadcast at 5461 Kester Avenue. The comments of that radio call indicated, "Suspect, male, Black, no further description, was previously armed with a knife outside of the location yelling and arguing. Suspect previously slashed PR's tire. PR heard loud crash believes suspect broke window to the apartment."

Officers Clark and Oxford were assigned the radio call, responded and met with the Person Reporting (PR), who directed the officers to the suspect's mailbox, which had the name of Frazier Jr. printed on it. Officer Clark recognized Frazier Jr.'s name from a prior law enforcement contact. Upon returning to further assist Officers De Leon and Eames with the robbery investigation, Officer Clark reviewed video footage from the robbery, and identified Frazier Jr. as the possible robbery suspect.²

At approximately 2355 hours, after Frazier Jr. was identified as the possible robbery suspect Sergeant J. Mojica, Serial No. 34802, Van Nuys Patrol Division, assigned Unit 9L40, Watch Three, directed Officers K. Kim, Serial No. 41359, A. Saldivar, Serial No. 43740, W. Gutierrez, Serial No. 36270, and R. Reese, Serial No. 43909, Van Nuys Patrol Division, all of whom were dressed in full police uniform and driving marked black and white police vehicles to monitor Frazier Jr.'s apartment complex.³

As Officers Kim, Saldivar, Gutierrez, and Reese were monitoring Frazier Jr.'s apartment complex, OVB Homicide detectives simultaneously developed leads, utilizing Department resources, and identified Frazier Jr. as the suspect responsible for the homicide at 14640 Burbank Boulevard, in addition to the robbery at the liquor store. Operations Valley Bureau Homicide detectives also determined Frazier Jr. resided at 5461 Kester Avenue, apartment No. 103.

According to the FID investigation, on October 16, 2019, at approximately 0500 hours, OVB Homicide requested GND - GFU's assistance to conduct a surveillance operation of Frazier Jr.'s apartment and attempt to apprehend him.

At approximately 0530 hours, Detective III R. Dinlocker, Serial No. 27681, OVB Homicide, met with Detective II M. Phillips, Serial No. 26412, Detectives I M. Whitney, Serial No. 37517,

² According to FID investigation, Frazier Jr.'s residence was 0.4 miles from the location of the homicide and 0.1 miles from the liquor store.

³ Watch Three denotes Los Angeles Police Department Patrol shift from 7:15 Post meridiem (PM) to 7:15 Ante meridiem (AM).

A. Lopez, Serial No. 35588, J. Ruiz, Serial No. 35739, and Officer J. Romines Serial No. 34946, GND - GFU, at the Van Nuys Community Police Station (CPS).⁴ Detective Dinlocker identified Frazier Jr. as a robbery suspect who was also wanted in connection with a homicide **(Additional/Equipment – Required Equipment)**.

Note: According to the FID Investigation, a part of the GND - GFU's mission is to assist Department investigative entities in locating, surveilling, and apprehending violent wanted suspects. At 0300 hours, GND – GFU personnel started their work shift and were working in two separate field assignments in the Pacific Palisades as well as Rampart Area. Detective E. Ayala, Serial No. 34256, OVB Homicide notified Detective R. Jaramillo, Serial No. 35691, GND – GFU and requested GND – GFU personnel to assist with the surveillance of Frazier Jr. Detective Jaramillo determined that his team which was assigned to the Pacific Palisades area was unable to break away from their assignment and at approximately 0500 hours contacted Detective Phillips who was leading the GND – GFU team assigned to Rampart Area. Detective Phillips assembled his team and responded to Van Nuys CPS at approximately 0530 hours. Detectives Phillips, Whitney, Lopez, Ruiz, and Officer Romines met with Detective Dinlocker, who provided a briefing regarding the crime and the possible location of the suspect.

According to the FID investigation, Detective Dinlocker briefed Detectives Phillips, Whitney, Lopez, Ruiz, and Officer Romines of Frazier Jr.'s physical description, place of residence, and advised that Frazier Jr. was considered armed and dangerous as he was wanted for a homicide and robbery. Detective Dinlocker provided Detectives Phillips, Whitney, Lopez, Ruiz and Officer Romines with photographs obtained from surveillance cameras when Frazier Jr. committed the homicide and the robbery. The photographs depicted Frazier Jr. with a distinct small yellow backpack that he carried, a bleached patch of hair above the left temple, and the clothing he wore. Detective Dinlocker also advised Detectives Phillips, Whitney, Lopez, Ruiz, and Officer Romines, that Frazier Jr.'s apartment was on the first floor, south of the main entrance and Frazier Jr.'s apartment had a window, which faced east onto Kester Avenue.

According to the FID investigation, once Detective Dinlocker completed his briefing at the Van Nuys CPS, Detective Phillips directed Officer Romines to complete an Operational Plan that was to be used during the surveillance and arrest of Frazier Jr. The Operational Plan was to document a surveillance around Frazier Jr.'s apartment building and monitor the area for any sighting of Frazier Jr. In the event Frazier Jr. exited his apartment building, he was to be allowed to walk away from his apartment building prior to calling in assigned uniform patrol resources to conduct a high-risk pedestrian stop and for GND - GFU personnel to assist the assigned uniform patrol units if requested to do so. Detective Phillips stated this plan was to avoid a *barricaded* suspect or *hostage* situation in the event Frazier Jr. ran back to his apartment building. Detective Phillips added that OVB Homicide detectives were in the process of writing an arrest warrant for Frazier Jr. as well as a search warrant for his residence in the event Frazier Jr. was identified inside his apartment and failed to exit and enable GND – GFU personnel to apprehend him while

⁴ Detective Phillips was a Detective Supervisor assigned to GND – GFU and was the highest ranking officer during the surveillance, OIS, and arrest of Frazier Jr.

in public. Upon completion and with positive identification that Frazier Jr. was inside his apartment. Metropolitan Division, Special Weapons and Tactics (SWAT) was to be requested to serve the arrest and search warrant. Additionally, the surveillance team was directed to utilize Channel 54 for communications during the surveillance (**Debriefing Point No. 1 – Operational Plan**).

At approximately 0550 hours, Detective Phillips directed Detectives Whitney, Lopez, and Ruiz, to deploy and set up the surveillance around Frazier Jr.'s apartment. Officer Romines remained at the Van Nuys CPS to complete the Operational Plan.

Note: Detectives Phillips, Whitney, Lopez, Ruiz and Officer Romines were dressed in plain clothes, and individually driving unmarked, non-police vehicles. Detectives Phillips, Whitney, Lopez, Ruiz and Officer Romines were not equipped with Body Worn Video (BWV) and their vehicles were not equipped with Digital In-Car Video Systems (DICVS).

According to Detective Whitney, at approximately 0600 hours, he arrived at 5461 Kester Avenue. Detective Whitney set up as point in the surveillance, and *was able to see the window of the target apartment*, and parked his vehicle facing west, along the north curb of Albers Street, just east of Kester Avenue. Detective Whitney had an unobstructed view of the main entrance gate to the apartment building. Detective Lopez positioned himself facing north, along the east curb of Kester Avenue, and Clark Street to cover any movement north. Detective Ruiz positioned himself facing south, along the west curb of Kester Avenue, south of Burbank Boulevard, to cover any movement south. Detective Phillips positioned himself facing west, along the north curb of Burbank Boulevard east of Kester Avenue. Van Nuys Patrol Division officers were positioned facing east, along the south curb of Burbank Boulevard west of Kester Avenue.

According to Detective Phillips, before he left the Van Nuys CPS to assist in the surveillance of Frazier Jr., he met with Sergeant Mojica, as Sergeant Mojica had recently assumed the position of Assistant Watch Commander, Van Nuys Patrol Division. Sergeant Mojica provided Detective Phillips with the cellular telephone numbers for Officers Kim, and Gutierrez, who were monitoring Frazier Jr.'s apartment.

Detective Phillips then made telephonic notification to Officers Kim and Gutierrez, and advised them GND - GFU personnel were enroute to set up the surveillance and *briefed* them of the Operational Plan to allow Frazier Jr. to walk *away* from the apartment building and to move in when requested to conduct a high-risk pedestrian stop. Officers Kim, Saldivar, Gutierrez, and Reese remained with the surveillance operation as uniform resources until they were relieved by Officers A. Vela, Serial No. 38872 and J. Villegas, Serial No. 43743, Van Nuys Patrol Division, Watch Two.⁵ Detective Phillips believed he joined the surveillance at Frazier Jr.'s apartment at approximately 0630 hours.

⁵ Watch Two denotes Los Angeles Police Department Patrol shift from 6:45 Ante meridiem (AM) to 6:45 Post meridiem (PM).

According to the FID Investigation, once Detectives Whitney, Lopez, Ruiz and Phillips were at their designated locations, Air Support Division (ASD) was notified of the surveillance operation. Detective Phillips stated he briefed the Air Unit on Channel 54.⁶

According to the FID investigation, once Officer Romines completed the Operational Plan, he emailed it to Detective Phillips for his review and approval. According to Detective Phillips, he forwarded the Operational Plan to Detective K. Oderinlo, Serial No. 26494, GND - GFU, and Lieutenant C. Baley, Serial No. 31153, GND - GFU.

According to Captain Oddo, he received the Operational Plan via email from Lieutenant Baley at 0814 hours. Captain Oddo stated he reviewed and approved the Operational Plan within 30 minutes of receiving it from Lieutenant Baley. Captain Oddo stated this was the review process he employed to approve all Operational Plans for all the units under his command (**Debriefing Point No. 1 – Operational Plan**).

Note: Detectives Phillips, Whitney, Lopez, Ruiz and Officer Romines were equipped with their Department issued ballistic vests; however, during the surveillance, they were not wearing their ballistic vests to maintain their undercover status. This exemption from wearing their ballistic vests was indicated in the Operational Plan, which was approved by Captain A. Oddo, Serial No. 26588, Commanding Officer, GND.

According to the FID investigation, at approximately 0615 hours, Sergeant J. Tafoya, Serial No. 41893, Van Nuys Patrol Division, Assistant Watch Commander, Watch Two, was briefed by Sergeant Mojica concerning the surveillance operation, and requested a Watch Two unit to relieve the uniformed Watch Three officers on the surveillance.

According to Sergeant Tafoya, prior to the start of the Day Watch roll call he directed Officers Vela and Villegas to respond to Officers Gutierrez and Reese's location and relieve them of their responsibility as chase team.⁷ Sergeant Tafoya stated he discussed the on-going GND - GFU surveillance during the Van Nuys Patrol Division, Watch Two roll call, so all Van Nuys Patrol Division Watch Two patrol units were aware GND - GFU was surveilling a robbery suspect who was possibly involved in a homicide.

According to Detective Phillips, at approximately 0716 hours, he telephonically contacted Communications Division (CD) requested a Code Five in the area of 5461 Kester Avenue and placed the GND - GFU, Code Six at the location, Incident No. 191016000716.⁸

According to the FID investigation, at approximately 0730 hours, Officers Vela and Villegas responded to Burbank Boulevard west of Kester Avenue and met with Officers Gutierrez and Reese, where they were briefed and relieved Officers Kim, Saldivar, Gutierrez, and Reese of

⁶ Channel 54 is a dedicated radio frequency utilized by GND personnel while in the field for communications which is optionally recorded and encrypted dependent on the toggle configuration on the radio.

⁷ A Chase team is a uniformed arrest team (uniformed police officers) designated to pursue, contain, detain, and/or arrest the suspect when possible.

⁸ A Code Five denotes units conducting surveillance in the area. Code Six denotes the unit has arrived at the scene.

their assignment. After Officers Vela and Villegas relieved Officers Gutierrez, and Reese they were the only uniformed officers assigned to the surveillance. Officers Vela and Villegas were in full police uniform and were driving in a marked black and white police vehicle. Officer Villegas was the driver officer while Officer Vela was the passenger. Officers Vela and Villegas were equipped with BWV and their vehicle was equipped with DICVS.

According to Officer Vela, he and Officer Villegas had worked together for approximately two deployment periods (DP), and *generally every shift*, Officers Vela and Villegas discussed *tactics*, *foot pursuit* concepts, *communications*, *contact* and *cover* roles, and *lethal* and *less lethal* designations. At the conclusion of roll call Officers Vela and Villegas were assigned by Sergeant Tafoya to respond to Officers Gutierrez and Reese's location, take over their position and assist GND, GFU as uniformed presence in the surveillance of Frazier Jr.

According to Officer Villegas, he was a probationary police officer and had been assigned to work with Officer Vela for approximately the past two DPs. During their work shifts, Officers Villegas and Vela discussed *contact*, *cover* roles, who would be *lethal*, *less-lethal*, *foot pursuit* concepts, *vehicle pursuits*, and encounters with *non-compliant suspects that are armed with weapons*. Officer Villages stated that at their start of watch he was assigned to be the cover and less-lethal officer.

Note: Officer Vela was with the Department for 12 years, three months. Officer Villegas was with the Department for one year. Officer Villegas was a Phase Three, probationary officer and was authorized to work multiple patrol field duties. Officers Vela was the Field Training Officer (FTO) for Officer Villegas. Officers Vela and Villegas had worked together for approximately six weeks (Two Deployment Periods).

According to Detective Whitney, Officers Vela and Villegas were requested to remain in their parked police vehicle on Burbank Boulevard west of Kester Avenue, which would be out of view of Frazier Jr. and would not reveal that police personnel were monitoring Frazier Jr.'s apartment. Officers Vela and Villegas would *act as a dedicated chase* team and be a *permanent police presence during the operation*.

According to Detective Phillips, at approximately 0740 hours, he spoke to Officer Vela by cellular *phone*. Detective Phillips directed Officer Vela to *position* his police vehicle *west of Kester Avenue on Burbank Boulevard*. Detective Phillips advised Officer Vela that there were multiple officers in *plain clothes* and *plain cars* in the area. Detective Phillips gave Officer Vela a *run down* and inquired if Officer Vela *knew who the suspect was*. Detective Phillips then advised Officer Vela on the Operational Plan and stated, "This is what I'd like—this is what I'd like from you guys. We're going to watch the location. If he comes out...I'd like to let him leave the location...and I want to get him out of the area and then we'll follow him, but I'm going to broadcast that we're following a 187 suspect and request a back-up and an airship... You guys go ahead and follow him. And then when you get enough resources, I'm going to hand it off to you."

According to Officer Vela, he used the speaker mode on his cellular telephone for Officer Villegas to hear the briefing that was provided by Detective Phillips. In addition, Detective Phillips texted a photograph of Frazier Jr. to Officer Vela. Once Officer Vela received the photograph of Frazier Jr., both he and Officer Villegas *recognized* Frazier Jr. as a result of prior contacts with him. Officers Vela and Villegas discussed that Frazier Jr. was *violent and probably going to run*. Officer Vela and Villegas then discussed *contact and cover* roles and the possibility of the need to establish a *perimeter*. Officer Vela stated he *briefed* Officer Villegas that they would *be first contact* and *uniform chase* team. Officer Vela continued to inform Officer Villegas, that Frazier Jr. would be allowed to walk away from his apartment building before they would approach to conduct a *high-risk prone* stop.

According to Detective Phillips, at approximately 0950 hours, he utilized Channel 54 and verbally briefed Air 10 on the Operations Plan.

According to Detective Lopez, at approximately 0800 hours, he relieved Detective Whitney as point on the surveillance. Detective Lopez parked his vehicle facing north along the east curb of Kester Avenue, south of Albers Street. Detective Lopez positioned himself to have a clear and unobstructed view of Frazier Jr.'s apartment window and the building complex entrance. Detective Whitney moved and positioned himself south of the apartment building, on Clark Street, west of Kester Avenue.

According to the FID investigation, at approximately 0900 hours, Detective Lopez observed the window blinds located inside Frazier Jr.'s apartment move. Detective Lopez broadcast and alerted the surveillance team of his observations. Approximately 20 minutes later, Detective Lopez observed the blinds and the window open. Detective Lopez positively identified Frazier Jr. inside his apartment and alerted the surveillance team of his observations. Detective Lopez used binoculars and observed Frazier Jr. approach the window three additional times. Detective Lopez observed Frazier Jr. was shirtless and had a red scarf around his neck. Detective Lopez was able to confirm Frazier Jr.'s tattoos and verified the bleached patch of hair above Frazier Jr.'s left temple.

According to Detective Lopez, a few minutes later, he observed Frazier Jr. exit via the front door of the apartment building complex. Detective Lopez observed Frazier Jr. was shirtless, wearing a red scarf around his neck, gray sweatpants, white socks, black Nike sandals, and he had a small yellow backpack strapped to his back. Frazier Jr. stood on the doorsteps leading up to the building's main entrance and used his cell phone. Frazier Jr. walked north along the west sidewalk of Kester Avenue. Detective Lopez alerted the surveillance team and broadcast his observations.

Note: Detective Lopez was not positive of the exact times he observed Frazier Jr. at the window or when Frazier Jr. exited the apartment building and began to walk north on Kester Avenue. Detective Lopez believed it happened after 0900 hours or at least an hour after he relieved Detective Whitney as point.

According to Detective Phillips, the first time Detective Lopez alerted the team was after he observed movement at Frazier Jr.'s apartment window at approximately 1000 hours. Detective Phillips estimated it was approximately 1015 hours when Detective Lopez alerted the team that Frazier Jr. exited his apartment building.

According to the FID investigation, Detective Phillips broadcast a request for a back-up at 1021 hours. Detective Phillips switched his hand held police radio to the Van Nuys Patrol Division base frequency when Frazier Jr. reached Detective Ruiz' location and broadcast, "5K523, we are following a 187 suspect, requesting a back-up, airship and a supervisor to Kester northbound toward Burbank. Suspect is a male Black, wearing a yellow backpack, yellow scarf. He is 509', 145, approximately 22 years of age."

Note: The FID investigation revealed that Frazier Jr. was wearing a red scarf when he exited his residence; however, when Detective Phillips broadcast his observations, he described Frazier Jr. as wearing a "yellow scarf."

According to Detective Ruiz, he was parked facing south on the west curb of Kester Avenue, south of Burbank Boulevard. Detective Ruiz stated that the point position on the surveillance team was turned over to him when Frazier Jr. walked north on Kester Avenue toward Burbank Boulevard. When Frazier Jr. walked past Detective Ruiz's vehicle, Detective Ruiz utilized his hand held police radio and directed the Air Unit to respond to the location on Channel 54. Simultaneously, Detective Ruiz heard Detective Phillips broadcast a request for a back-up.

According to Detective Ruiz, he looked through the rear-view mirror of his vehicle and observed Officers Vela and Villegas' patrol vehicle traveling south on Kester Avenue from Burbank Boulevard with the police vehicle's red and blue emergency overhead lights activated. Detective Ruiz observed Frazier Jr. *stop his forward motion of walking, and he had a look on his face like, "oh shit."* Detective Ruiz observed Frazier Jr. reach into his *right front pants' pocket* with his *right hand, to turn to his right.* Frazier Jr. *takes off to run,* while running Frazier Jr. removed his *right hand from out of his pocket and lifted it up like in a running motion.* Detective Ruiz immediately recognized a handgun in Frazier Jr.'s *right hand.* Frazier Jr. ran in a *full sprint* south on the west sidewalk of Kester Avenue away from the black and white police vehicle. Detective Ruiz was unable to broadcast on Van Nuys Patrol Division base frequency due to heavy radio traffic. Detective Ruiz utilized his hand held police radio and broadcast, "He's got a gun, he's got a gun, he's got a gun," on Channel 54.

The FID investigation revealed that Detective Ruiz was in a parked vehicle south of Officers Vela and Villegas as they drove southbound on Kester Avenue and was afforded a different vantage point of Frazier Jr.

According to Officer Vela, upon hearing the broadcast that Frazier Jr. was walking northbound on Kester Avenue approaching *Burbank* Boulevard, Officer Vela directed Officer Villegas to *drive to the corner* where they could contact Frazier Jr. before he reached the intersection at Burbank Boulevard and Kester Avenue. Officer Vela was concerned about Frazier Jr.'s *violent history* and wanted to contact Frazier Jr. before he reached the *mini-mall* shopping center at the

southwest corner of *Burbank* Boulevard and *Kester* Avenue. As officers were approaching to contact Frazier Jr., they were delayed as *a large truck* stopped *right in front* of Frazier Jr. which impeded the officer's path. While stopped, Officer Vela observed Frazier Jr. *looking* at their *car* as Frazier Jr. reached *into his pocket*. As Officer Vela exited their police vehicle, Officer Vela stated that as exited his police vehicle he observed *the butt end of a gun in Frazier Jr.'s left front pants or shorts pocket*. Frazier Jr. then removed a handgun from his left pants pocket, turned *away from* Officer Vela and started *running* southbound on Kester Avenue. While Frazier Jr. was *running*, Officer Vela observed Frazier Jr. transfer the handgun from his left hand to *his right hand* and held the handgun *to his side*. Officer Vela heard an unknown GND detective broadcast over the radio frequency that Frazier Jr. was armed with a *weapon* and requested a *back-up*. Officer Vela then went *in foot pursuit* of Frazier Jr.

According to Officer Vela, he was aware of Frazier Jr.'s violent past which included homicide and armed robbery. Officer Vela drew his service pistol as he was chasing Frazier Jr., whom he had observed to be in possession of a handgun, and observed Frazier Jr. scanning from side to side and felt as if Frazier Jr. was going to point a handgun and fire the handgun in Officer Vela's direction. Officer Vela drew his service pistol under his *belief the tactical situation may escalate to use of deadly force*. Officer Vela *continued chasing* Frazier Jr. with his *gun out*. Officer Vela stated he was in apprehension mode, *hot pursuit of a felon who has already showed that he's violent and that's killed people*. Officer Vela stated his goal was *to try to get to him quick, to stop him as quick as I can* (**Drawing/Exhibiting – Service Pistol and Debriefing Point No. 2 – Foot Pursuit Concepts**).

According to the FID investigation, at 10:21:40 hours, Officer Vela's BWV captured Officer Vela seated in the front passenger seat of his police vehicle holding his hand-held police radio in his left hand while traveling south on Kester Avenue from Burbank Boulevard. Officer Vela pointed south and said, "My side, my side, in front of the truck, in front of the truck." Officer Vela exited his police vehicle with his hand-held police radio in his left hand, transitioned his hand-held police radio to his right hand, walked south on the west sidewalk of Kester Avenue and alerted Officer Villegas that Frazier Jr. was going to run.

At 10:21:52 hours, Officer Vela engaged in a foot pursuit of Frazier Jr. and transitioned his hand-held police radio back to his left hand and attempted to broadcast but the radio frequency was being utilized by unidentified officers. Additionally, Officer Vela ran south in foot pursuit of Frazier Jr. as a silver Toyota Tacoma pick-up truck exited a driveway in front of him at which time Officer Vela transitioned his hand-held police radio back to his right hand. Simultaneously, Detective Ruiz broadcast, "He's got a gun, he's got a gun." Officer Vela drew his service pistol with his left hand and continued to run, holding his service pistol with his left hand and his hand-held police radio in his right hand. After Detective Whitney's first round was heard, Officer Vela took a two-hand low ready grip on his service pistol, dropping his hand-held police radio. Officer Vela stopped running forward and turned around and retrieved his hand-held police radio which fell to the ground behind him. Officer Vela then secured his hand-held police radio on the right side of his duty belt and moved forward to the rear of a vehicle which he used as cover as he observed Frazier's actions (**Debriefing Point No. 2 – Foot Pursuit Concepts**).

Note: The FID investigation determined that at the time of the OIS, Officer Vela was approximately 102 feet from Frazier Jr.

According to Officer Villegas, after exiting their police vehicle Officer Vela attempted to make contact with Frazier Jr., but Frazier Jr. ran south on Kester Avenue. Officer Villegas stated that he and Officer Vela went in *foot pursuit* of Frazier Jr. *southbound on Kester Avenue on the sidewalk*. As Officer Villegas was *running* he observed Frazier Jr. *holding a black – black handgun in his right hand*. Officer Villegas ensured he stayed in close proximity with Officer Vela during their foot pursuit of Frazier Jr. while he ran on *the street* and used parked *vehicles and trees* as cover. While in foot pursuit, Officer Villegas heard *two gunshots, redeployed behind a parked Prius*, and drew his service pistol (**Drawing/Exhibiting – Service Pistol**).

According to Detective Whitney, upon hearing Detective Lopez' broadcast that Frazier Jr. exited the apartment building and while seated in his vehicle, he donned his Department issued tactical vest. Detective Whitney reached for his Department issued 12-gauge, M4 Benelli semiautomatic shotgun, which was loaded in the *patrol ready configuration*, located next to him on the front passenger seat of his unmarked gray colored Dodge Caravan.⁹ Detective Whitney slung his shotgun around his neck, placed the shotgun *between his legs* with the barrel facing toward the floorboard, and chambered a round into the shotgun. Detective Whitney drove to Kester Avenue north of Clark Street, pulled over to the east side curb, facing north, and waited for further information. Detective Whitney exhibited his shotgun due to his knowledge that Frazier Jr. was wanted for murder, had a *criminal history of violence*, and understood *there was a likelihood that this situation could escalate to the use of deadly force* (**Additional Tactical Debrief Topics - Shotgun Manipulations while Seated Inside a Vehicle**).

Detective Whitney stated that as he waited at the curb, he observed Officers Vela and Villegas' police vehicle traveling south on Kester Avenue from Burbank Boulevard with the overhead emergency lights activated and heard Detective Ruiz' broadcast that Frazier Jr. was running south on Kester Avenue armed with a gun. Detective Whitney started driving north, in the number one lane, on Kester Avenue. As he traveled north and was approximately 20 to 30 yards from the front entrance to Frazier Jr.'s apartment building, Detective Whitney observed Frazier Jr. running south at full speed, on the west sidewalk, while holding a small black pistol in his right hand. Detective Whitney estimated Frazier Jr. was approximately 30 to 40 feet north of his apartment building's front entrance.

According to Detective Whitney, he drove across the southbound lanes of Kester Avenue, stopped and parked his vehicle at a 45-degree angle, facing toward the front entrance of Frazier Jr.'s apartment building. Detective Whitney exited his vehicle, stood next to the driver side door, and used his vehicle's engine block for cover, as he assumed a low-ready position with his M4 Benelli semiautomatic shotgun. Detective Whitney observed a male, later identified as Witness J. Duhaney, standing in the grass area, just south of the apartment building's main entrance. Detective Whitney stated he was concerned Duhaney might be related to Frazier Jr. or

⁹ Patrol Ready – The condition in which a weapon system is configured with an empty chamber and its magazine is loaded to capacity (LAPD Basic Firearms Manual, Shotgun Section, Chapter 5, Remington 870 Shotgun Manipulations).

believed that Frazier Jr. could take him *hostage*, run into his apartment, and *barricade* himself with Duhaney.

According to the FID investigation, at 10:22:12 hours, Detective Whitney said to Frazier Jr., "Police." Frazier Jr. looked at Detective Whitney while holding the gun in his right hand and Frazier Jr. began to raise the gun in Detective Whitney's direction. Detective Whitney believed Frazier Jr. was going to shoot him as Frazier Jr. *looked at Detective Whitney, and the gun came up in Detective Whitney's direction*, leading Detective Whitney to think *Frazier Jr. was going to shoot him*. In fear for his life and to protect himself from imminent death or great bodily injury, Detective Whitney disengaged the safety of his M4 Benelli semiautomatic shotgun, aimed for Frazier Jr.'s center body mass, and fired one round at him (**Lethal Use of Force – First Round**).¹⁰

Note: According to the FID investigation, Detective Whitney fired a total of three rounds from his M4 Benelli semiautomatic shotgun in approximately eight seconds from a decreasing distance of 27 to 15 feet.

According to Detective Whitney, after he fired the first shot, he assessed and observed Frazier Jr. stumble forward and fall onto the sidewalk; with his head pointing southwest and his feet pointing toward the curb of Kester Avenue. Detective Whitney observed Frazier Jr. was still holding the gun in his right hand. From his peripheral view, Detective Whitney observed the pursuing officers approaching Frazier Jr. from the north. Frazier Jr. was still moving, holding the gun in his right hand. Detective Whitney stated he *stepped around the front of the engine block, took two or three steps to close the distance to better assess Frazier Jr.'s actions and see if Frazier Jr. was going to start shooting up the street*. Furthermore, Detective Whitney believed by moving up from his original position, he would be able to deliver more effective shots, if needed (**Debriefing Point No. 3 – Utilization of Cover**).

According to Detective Whitney, he observed Frazier Jr. *trying to sit up*. Detective Whitney could *see Frazier Jr.'s right arm which is the hand that Frazier Jr. had the gun in*. Detective Whitney was *sure Frazier Jr. had that gun and was pointing it in a northerly direction toward the pursuing officers who were running on foot*. In fear Frazier Jr. was going to shoot at other officers and to defend them from the imminent threat of great bodily injury or death Frazier Jr. posed on personnel, Detective Whitney aimed at Frazier Jr.'s lower, mid-right, back and fired a second round from his M4 Benelli semiautomatic shotgun (**Lethal Use of Force – Second Round**).¹¹

According to Detective Whitney, after he fired his second round he assessed and believed his second round *missed*, because it did not *stop Frazier Jr.'s actions or have any effect*. Frazier Jr. continued to point his gun in a northerly direction towards the pursuing officers. Detective Whitney aimed at Frazier Jr.'s back, center mass, and fired a third round from his M4 Benelli

¹⁰ The FID investigation determined Detective Whitney was approximately 27 feet from Frazier Jr. when he fired his first round.

¹¹ The FID investigation determined Detective Whitney fired his second round from an approximate distance of 15 feet.

semiautomatic shotgun.¹² Detective Whitney assessed and observed Frazier Jr. collapse onto his left side, and he was no longer able to see Frazier Jr.'s gun. Detective Whitney then redeployed to the passenger side of his vehicle, using the engine block as cover (**Lethal Use of Force – Third Round and Outside Video/Surveillance**).

According to the FID investigation, after Detective Whitney fired his third round, Frazier Jr. fired one round from his handgun, which impacted the ground.

According to the FID investigation and Officer Vela's BWV, at 10:22:12 hours, a gunshot was heard. One second later, Officer Vela dropped his handheld police radio to the ground and he transitioned to a two-hand grip on his pistol. At 10:22:16 hours, Officer Vela turned around and ran north to retrieve his handheld police radio. At approximately 10:22:18 as Officer Vela reached down for his handheld police radio, a second gunshot was heard. At 10:22:20 hours, a third gunshot was heard, followed by a fourth gunshot one second later at 10:22:22 hours.

According to Officer Villegas, "I hear two gunshots, and observed also I guess would be dirt or dust next to where the suspect was laying on the ground, what I perceived to be gunshots coming from the suspect's handgun."

Note: The FID investigation determined the fourth gunshot heard on Officer Vela's BWV was fired by Frazier Jr. Force Investigation Division detectives located a discharged, .380 cartridge casing, fired from Frazier Jr.'s handgun, and an impact on the sidewalk, next to Frazier Jr.

According to the FID investigation, after the OIS, Officer Vela stood behind a vehicle and used it as cover. As an arrest team was being established, Officer Vela left his position of cover and moved to the sidewalk. Sergeant Lankford could be heard on Officer Vela's BWV directing him to utilize cover. Officer Vela moved to the west side of the sidewalk and utilized a short residential block wall as cover. Sergeant Lankford, on three additional occasions is heard directing Officer Vela to utilize cover before Officer Vela redeployed and joined the remaining personnel who were forming the arrest team (**Debriefing Point No. 2 – Foot Pursuit Concepts**).

According to Detective Ruiz, he unholstered when he got to the OIS location and got out of his vehicle. He was aware of the danger Frazier Jr. presented to the public and of his violent history. Detective Ruiz drew his service pistol after he heard three gunshots and believed *that the situation could rise to the use of deadly force* (**Drawing/Exhibiting – Service Pistol**).

According to Detective Lopez, he drove his vehicle and parked near the area where the OIS occurred. Detective Lopez drew his service *pistol* because he knew the *danger* Frazier Jr presented to the public as well as to Department personnel. Frazier Jr had been observed carrying a *handgun* as he ran from Department personnel and believed the situation had escalated

¹² The FID investigation determined Detective Whitney fired his third round from an approximate distance of 15 feet.

to the use of deadly force and that Frazier Jr could cause *serious injury or death* to members of the public and Department personnel (**Drawing/Exhibiting – Service Pistol**).

According to Officer Vela, as he started giving commands to Frazier Jr. Officer Vela noticed Duhaney standing in the grass area, directly behind Frazier Jr. Officer Vela alerted *everyone* by yelling “watch our crossfire.” Officer Vela stated he misspoke and meant to say “watch our background.” Officer Vela added Duhaney was directed to move away from the area. Officer Vela and Detective Ruiz redeployed to a small wall, on the north side of the front entrance of Frazier Jr.’s apartment building to get a better view of Frazier Jr.’s handgun.

According to the FID investigation and Officers Vela’s BWV, Officer Vela is heard yelling to Duhaney, “Hey, get out of the way...get over there” and “Go, go.” Simultaneously, Detective Ruiz is heard yelling profanities at Duhaney as Duhaney is observed on BWV standing next to the apartment building with his arms up, walking backwards (**Additional/ Equipment – Profanity and Additional Tactical Debrief Topics – Simultaneous Non-Conflicting Commands**).

According to Duhaney, shortly before the OIS, he was walking south on the west sidewalk of Kester Avenue from Burbank Boulevard and passed Frazier Jr., who was walking north, on the same sidewalk. Duhaney stated, “He kind of gave me a weird look, but I kept walking.” *A couple of minutes later*, Duhaney, who was now standing just south of Frazier Jr.’s apartment complex main entrance, *heard a voice*, who Duhaney believed to be a *police officer*, state something to the effect of “freeze,” followed by shots being fired. Duhaney turned his head to his left and observed Detective Whitney outside a van shooting what Duhaney perceived to be a rifle. Duhaney *jumped out of the way, raised his arms*, and moved against the apartment complex, behind some bushes. Duhaney observed Frazier Jr. on the ground holding a black object in his right hand. Duhaney was not sure if the *black thing* Frazier Jr. had *in his hand was a gun*. Duhaney stated he was given simultaneous orders by multiple officers, and subsequently removed from the immediate area.

Note: According to the FID investigation Duhaney, was seen in Officer Vela’s BWV and in the KTTV Fox 11 Los Angeles news’ video, standing in a planter area, just south of the entrance of the apartment building at 5461 Kester Avenue.

The FID investigation determined that Officer D. Dixon, Serial No. 38561, Air Support Division, Tactical Flight Officer (TFO), requested the rescue ambulance (RA) for Frazier Jr. at 1023 hours. Los Angeles Fire Department personnel responded, assessed Frazier Jr.’s condition at scene, and pronounced him deceased at 10:37:31 hours. Frazier Jr. was not transported to the hospital.

According to the FID investigation, Sergeant A. Lankford, Serial No. 40423, Van Nuys Patrol Division, arrived at scene a few seconds post OIS.

According to Sergeant Lankford, she arrived to the crime scene and observed officers standing behind a parked vehicle along the west curb of Kester Avenue. Sergeant Lankford located Detective Phillips and asked him what he needed. Detective Phillips asked her to take over as

the Incident Commander (IC). Sergeant Lankford declared herself as the IC and took over command and control duties (**Command and Control**).

According to the FID investigation, Officers M. Guajardo, Serial No. 36380, A. Palomino, Serial No. 43810, R. Gutierrez, Serial No. 40362, and V. Ortiz, Serial No. 40173, Van Nuys Patrol Division responded to the help call shortly after the OIS.

According to the FID investigation, Detective Whitney approached Frazier Jr.'s feet first. Detective Whitney covered Frazier Jr.'s upper body, while Officer Vela straddled Frazier Jr.'s legs. Officer Vela grabbed Frazier Jr.'s right hand and passed it to Officer Villegas, who applied a handcuff. Officers Vela and Villegas worked together and removed the small yellow backpack strapped to Frazier's back. Officer Vela moved to his left and straddled Frazier Jr.'s head, and using his right hand, Officer Vela grabbed Frazier Jr.'s left hand, swung it counterclockwise, around Frazier Jr.'s head, and guided it to the small of his back. Officer Vela then passed Frazier Jr.'s left hand to Officer Villegas, who straddled Frazier Jr.'s legs and completed handcuffing him. During the handcuffing, Officer Palomino picked up Frazier Jr.'s handgun and moved it, before being instructed by Sergeant Lankford to leave the handgun in place. Officer Palomino placed Frazier Jr.'s handgun back on the sidewalk, where it remained until it was recovered by Forensic Science Division investigators. Officer Palomino assisted handcuffing Frazier Jr. by holding Frazier Jr.'s ankles while Officer Villegas handcuffed him (**Additional Tactical Debrief Topics – Preservation of Evidence**).

According to the FID investigation, Officer Villegas was directed by Officer Vela to remain standing near Frazier Jr.'s firearm and ensure it was not disturbed. Officer Villegas was also directed by Officer Vela to turn off his BWV (**Additional /Equipment – BWV De-activation**).

According to the FID investigation, at approximately 1027 hours, Sergeants Tafoya and J. Blanchard, Serial No. 38175, Van Nuys Patrol Division, arrived at scene. Sergeant Tafoya assumed the responsibility as the IC from Sergeant Lankford. Sergeant Tafoya remained as IC until he was relieved by Captain O. Chandler, Serial No. 26288, Van Nuys Patrol Division, Commanding Officer, who arrived at scene at approximately 1030 hours. Captain Chandler verified Detective Whitney was involved in the OIS, separated him and Detective Phillips, and assigned supervisors to monitor them. Captain Chandler directed Sergeant Blanchard to take a Public Safety Statement (PSS) from Detective Whitney.

According to Sergeant Blanchard, he separated Detective Whitney, sat him inside an available police vehicle and obtained a PSS from him. Sergeant Blanchard then transported Detective Whitney to VNYS CPS, where he monitored Detective Whitney until relieved by Sergeant W. Grant, Serial No. 32945, Van Nuys Patrol Division at approximately 1130 hours.

According to Detective Whitney, while he was being separated and monitored, Detective J. Hidalgo, Serial No. 37533, GND, sent him a video file copy of the OIS video released by KTTV Fox 11 News Los Angeles. Detective Whitney stated he viewed the video prior to conducting the walkthrough and interview with FID detectives. According to Detective Hidalgo he viewed the video while inside the Hollenbeck Patrol Division, Community Police Station, and

later saw it again, while inside Jail Division. He sent the video file to Detective Whitney for information purposes only, and to share it with his attorney and FID detectives. Detective Hidalgo added his reason for sending the link of the video to Detective Whitney was to make him aware the video was all over the news, and he never intended to interfere in the FID investigation (**Additional Tactical Debrief Topics – Viewing Video Prior to FID interview**).

FINDINGS

Tactics – Administrative Disapproval, Captain Oddo, Detective Phillips, and Officer Romines. Tactical Debrief, Detectives Whitney, Lopez, and Ruiz, Sergeant Lankford, and Officers Vela, and Villegas.

Drawing/Exhibiting – In Policy, No Further Action, Detectives Whitney, Lopez, and Ruiz, and Officers Vela, and Villegas.

Lethal Use of Force – In Policy, No Further Action, Detective Whitney.

ANALYSIS¹³

Detention

OVB Homicide received information on the location of Frazier Jr., who was a suspect in a murder and robbery incident. OVB Homicide requested the assistance from GND, GFU to conduct surveillance. Detectives Phillips, Whitney, Lopez, Ruiz and Officer Romines, Vela, and Villegas, conducted surveillance at Frazier Jr.'s residence. Frazier Jr. exited his residence and walked down the street. When Frazier Jr. observed uniformed officers Vela and Villegas in a marked black and white police vehicle, Frazier Jr. ran in the opposite direction and a foot pursuit ensued. Frazier Jr. produced a handgun, resulting in an OIS. The detectives' and officers' actions of attempting to detain and take Frazier Jr. into custody were appropriate and within Department policies and procedures.

Tactics

Department policy relative to a Tactical Debrief is: *"The collective review of an incident to identify those areas where actions and decisions were effective and those areas where actions and decisions could have been improved. The intent of a Tactical Debrief is to enhance future performance."*

The evaluation of tactics requires that consideration be given to the fact that officers are forced to make split-second decisions under very stressful and dynamic circumstances. Tactics are conceptual and intended to be flexible and incident specific, which requires that each incident be looked at objectively and the tactics be evaluated based on the totality of the circumstances.

¹³ The analysis reflects my recommendations as supported by the preponderance of the evidence established by the investigation.

Tactical De-Escalation

Tactical de-escalation involves the use of techniques to reduce the intensity of an encounter with a suspect and enable an officer to have additional options to gain voluntary compliance or mitigate the need to use a higher level of force while maintaining control of the situation.

Tactical De-Escalation Techniques

- *Planning*
- *Assessment*
- *Time*
- *Redeployment and/or Containment*
- *Other Resources*
- *Lines of Communication (Use of Force - Tactics Directive No. 16, October 2016, Tactical De-Escalation Techniques)*

Tactical de-escalation does not require that an officer compromise his or her safety or increase the risk of physical harm to the public. De-escalation techniques should only be used when it is safe and prudent to do so.

Planning – Detective Phillips directed Officer Romines to complete an Operational Plan at the Van Nuys CPS. While Officer Romines was completing the Operational Plan, Detective Phillips directed Detectives Whitney, Lopez, and Ruiz to deploy and establish a surveillance around Frazier Jr.'s apartment. The Operational Plan for this incident was completed on a non-Department approved document that was labeled "*Gang and Narcotics Division Gang Field Unit (GFU) Operational Plan*" and indicated that the document is *Equivalent to Form 12.22.00 (08/05)*.

According to the FID investigation, the Operational Plan documented the surveillance around Frazier Jr.'s apartment building and the monitoring of the area for him. In the event Frazier Jr. exited the apartment building, he was to be allowed to walk away from the building prior to calling in assigned uniform resources to conduct a high-risk pedestrian stop and for GFU personnel to assist patrol if requested to do so. Detective Phillips stated this plan was to avoid a barricade or hostage situation in the event Frazier Jr. ran back to his apartment building. Detective Phillips added that in the event Frazier Jr. was identified as being inside the apartment, but he did not exit, OVB Homicide detectives were in the process of writing an arrest warrant for Frazier Jr. and a search warrant for his residence. The plan was to then notify Metropolitan Division, Special Weapons and Tactics (SWAT) to serve the search warrant. Additionally, the surveillance team was directed to utilize Channel 54 for communications.¹⁴

According to the FID investigation, as Officer Romines was completing the Operational Plan, Detective Phillips directed Detectives Whitney, Lopez, and Ruiz to deploy and establish the surveillance around Frazier Jr.'s apartment. Once the surveillance team was established, Air Support Division (ASD) was notified and advised of the Operational Plan. Air Support Division

¹⁴ Metropolitan Division was not contacted at any point during this incident.

was advised to have the Air Unit assigned to Operations-Valley Bureau monitor Channel 54. According to Detective Phillips, he notified Communications Division (CD), placed the GFU Code Six and requested a Code Five around 5461 Kester Avenue, Incident No. 191016000716.

The UOFRB was critical of the Operational Plan completed by Officer Romines. The UOFRB noted that the Operational Plan lacked detail and was missing pertinent information.

The UOFRB deliberated that the specifics of the Operational Plan lacked critical information such as the location of staged personnel, description of vehicles in the surveillance team, utilization of an arrest team and steps to take for the arrest. GND GFU personnel were deployed and began their surveillance around Frazier Jr.'s residence prior to the Operational Plan being completed or approved by the Commanding Officer. Once the Operational Plan was approved, the Operational Plan was not disseminated throughout the personnel on the surveillance team nor to uniformed Officers Vela and Villegas. Uniformed Officers Vela and Villegas discussed the Operational Plan with Detective Phillips on the phone but did not receive or view a physical copy of the Operational Plan. Officers Vela and Villegas did not meet with the surveillance team prior to setting up at their location and were not made aware of the description, clothing, or vehicles of the personnel involved in the surveillance team.

Officers Vela and Villegas had worked together for approximately six weeks. Officer Vela was assigned as Officer Villegas' Field Training Officer (FTO), and they discussed tactics daily. Officer Vela was the passenger, and he was assigned as the contact officer. Officer Villegas was the driver, and he was assigned as the cover officer. Officer Vela stated they discussed the possibility Frazier Jr. might run, discussed foot pursuit tactics, and identified the surrounding streets in case the need arose to set up a perimeter. Officers Vela and Villegas also discussed the high-risk prone technique and Officer Vela emphasized to Officer Villegas to use the police vehicle as cover. Officer Vela explained to Officer Villegas the importance of uniform presence and planned that they would initiate contact with Frazier Jr.

Sergeant Lankford arrived at the location shortly after the OIS and formulated a plan to handcuff Frazier Jr. Sergeant Lankford ensured the arrest team had lethal and less-lethal use of force options. Sergeant Lankford also verified everyone in the arrest team knew their duties. The arrest team consisted of the following personnel: Detective Whitney as lethal cover with his shotgun, Detective Lopez lethal cover for Detective Whitney, with his service pistol, Officer Vela and Officer Villegas were assigned to handcuff Frazier Jr., Officer Gutierrez, was the designated less lethal, equipped with a 40 millimeter less lethal launcher, and Officers Guajardo, Palomino, and Romines as additional support if needed, and Sergeant Lankford as the supervisor overseeing the arrest.

Assessment – As the surveillance team was positioned around Frazier Jr.'s residence, Detective Lopez positioned himself to have what he described as a clear and unobstructed view of Frazier's Jr.'s apartment window and the building entrance. Detective Lopez observed the blinds of Frazier Jr.'s apartment window move and alerted everyone on the surveillance team of his observations. Shortly after Detective Lopez observed the blinds and window open. Detective Lopez used binoculars and was able to positively identify Frazier Jr. Once determining that

Frazier Jr. was inside of his residence, Detective Lopez broadcasted his observations of Frazier Jr. and assessed the situation. The surveillance team made the decision to utilize time, waiting for Frazier Jr. to exit his residence and walk down the street while they assessed his actions, in order to not force a possible lethal situation by immediately confronting Frazier Jr.

Detective Whitney heard Detective Ruiz' broadcast that Frazier Jr. was running armed with a gun. As Detective Whitney drive towards Frazier Jr.'s apartment, he observed Frazier Jr. running on the west sidewalk, while holding a small black pistol in his right hand. As Frazier Jr. approached where Detective Whitney was positioned, Detective Whitney utilized available cover from his vehicle and stated "Police" to Frazier Jr. Frazier Jr. then began to raise his pistol in Detective Whitney's direction, causing Detective Whitney to be in fear for his life.

Detective Whitney assessed after firing his first round and observed Frazier Jr. was attempting to sit up, while pointing the gun in a northerly direction toward the pursuing officers. Detective Whitney stepped around the front of the engine block and took two or three steps to close the distance to better assess Frazier Jr.'s actions.

After firing his second round, Detective Whitney assessed, and believed his second shot missed, because it did not have an effect on Frazier Jr., since he continued to point his gun in a northerly direction toward the pursuing officers. Detective Whitney, believed Frazier Jr. continued to pose a threat to the approaching officers, because his second shot did not stop Frazier Jr.'s actions.

After firing his third round, Detective Whitney assessed and observed Frazier Jr. collapse onto his left side, and was no longer able to see Frazier Jr.'s pistol. Detective Whitney continued to assess and observed Frazier Jr.'s actions.

Detective Whitney stated he assessed the severity of the situation and discharged one round from his shotgun to stop the threat. Detective Whitney continued to assess the threat between each round out of the safety and concern for the additional Department personnel at scene as well as for the reverence for Frazier Jr.'s life. While the UOFRB noted Detective Whitney's assessment in this situation they also discussed with great concern the lack of assessment in completing and communicating a detailed Operation Plan to all Department personnel involved. I would have preferred Department personnel would have assessed their deficiencies prior to initiating the operation.

Time – Gang and Narcotics Division, GFU personnel were briefed on Frazier Jr., which included his physical description, crimes he was accused, and his residence. Gang and Narcotics Division GFU personnel were afforded time to create and communicate an approved Operational Plan to each member of the unit as well as the uniformed chase team consisting of Officers Vela and Villegas; however, they left the station and established a surveillance prior to completing an Operations Plan, discussing the plan, and ensuring the chase team knew who each member of the units was to avoid confusing plain clothes Department personnel from potential threats.

The surveillance team's plan was to utilize time once Frazier Jr. was identified and continue surveillance away from his residence in order to gather additional uniformed personnel on scene

prior to making contact and attempt to avoid a larger tactical incident. As Frazier Jr. exited his residence and Officers Vela and Villegas attempted to contact and detain him, Frazier Jr. turned and produced a handgun, running from Officers Vela and Villegas. Although Frazier Jr.'s actions did not afford the officers any additional time to respond to his deadly actions, which reduced the time the officers had to respond, and limited their tactical options.

The UOFRB noted that patrol resources had been monitoring Frazier Jr. for multiple hours which allowed GND-GFU the time to create, disseminate and ensure that a sound Operational Plan was in place and understood by the personnel involved in the tactical incident.

Following the OIS the surveillance team and all responding personnel, utilized time to formulate a plan and make their approach to take Frazier Jr. into custody.

The UOFRB noted the surveillance team was faced with no exigency and was afforded time, but did not use that time to create a more detailed tactical plan, assess the roles of the personnel involved, and wait for the plan to be approved by the Commanding Officer. I would have preferred the surveillance team had utilized the time afforded to them to ensure a detailed Operational Plan was completed, briefed, and understood by all Department personnel prior to taking part in any part of the incident.

Redeployment and/or Containment – As the marked black and white police vehicle approached Frazier Jr., Frazier Jr. turned, retrieved a pistol from his pants pocket and ran the opposite direction away from the officers. Officers Vela and Villegas initiated a foot pursuit in an attempt to apprehend Frazier Jr. Officer Villages ran on the street and utilized vehicles as cover during the foot pursuit which was of short duration. Officer Vela ran on the sidewalk on the same path as Frazier Jr., not fully utilizing the cover that was afforded to him as he pursued Frazier Jr. even though he was aware that he could use walls near the residential driveways as cover. Officers Vela and Villegas remained in apprehension mode even after they observed Frazier Jr. to be armed with a handgun out of fear for the public and the belief he was a continued danger to the public.

After Detective Whitney fired his third round and was no longer able to see Frazier Jr.'s pistol, Detective Whitney redeployed to the passenger side of his vehicle, utilizing the engine block as cover.

The UOFRB noted that while officers are generally advised to redeploy to containment mode while following a known armed individual, the concern for the public and additional personnel was too great to allow Frazier Jr. to evade apprehension. In this case the UOFRB noted that Officer Vela was not actively trying to close distance on Frazier Jr. and was aware of the available cover afforded to him. I would have preferred personnel had utilized additional cover throughout the entirety of the incident.

Other Resources – Upon determining the location of Frazier Jr.'s residence, OVB Homicide detectives requested the assistance from the GFU personnel and asked that they conduct surveillance of Frazier Jr.'s residence and attempt to apprehend him. At the time of the request

the GND - GFU was operating at two unique locations and unable to assist one another, causing an officer safety concern and a lack of resources.

GFU personnel assigned to the surveillance team utilized one marked black and white police vehicle and two uniformed officers (Officers Vela and Villegas) to assist with their Operation Plan.

OVH Homicide detectives were in the process of writing an arrest warrant for Frazier Jr. and a search warrant his residence. The plan was if Frazier Jr. was identified as being inside the apartment, but did not exit, OVH Homicide detectives would notify Metropolitan Division, Special Weapons and Tactics (SWAT) to serve the search warrant.

A dedicated simplex radio frequency was assigned and was used for surveillance and tactical communications for the incident.

Air Support Division was notified and advised of the operation. Air Support Division was advised to have the Air Unit assigned to Valley Bureau monitor the frequency.

The UOFRB noted that the surveillance team and the Operational Plan would have benefited by notifying Metropolitan Division of the plan prior to GFU setting up surveillance at Frazier Jr.'s residence. Doing so would have afforded the surveillance team with additional options and resources in attempting to take Frazier Jr. into custody.

Lines of Communication – Sergeant Tafuya discussed the incident during the Van Nuys Patrol Division, Watch Two roll call, so personnel were aware GFU was surveilling a murder suspect and to be mindful of their location and the possibility of their need for additional personnel.

Detective Phillips briefed Officers Vela and Villegas of the operational plan over the cellular phone wherein Officer Vela used the speaker mode in his cellular telephone for Officer Villegas to hear the briefing. Detective Phillips also texted Officer Vela a photograph of Frazier Jr. to be used for identification.

The UOFRB noted that after completion, the Operation Plan was not reviewed by or disseminated to those involved in the tactical operation. The UOFRB noted that this review process would have allowed those involved in the tactical operation to identify potential safety concerns and better understand their roles.

When Frazier Jr. walked out of this residence, Detective Phillips switched his radio to Van Nuys Base frequency and broadcasted a *back-up* request as they were following a *187 suspect*. Detective Whitney identified himself to Frazier Jr. by stating "Police" in an attempt to stop Frazier Jr.'s actions. Frazier Jr. looked at him and while holding the gun in his right hand, Frazier Jr. began to raise the gun in his direction, causing Detective Whitney to believe Frazier Jr. was going to shoot him. During the course of the incident and due to the rapidly evolving situation when Frazier Jr. ran and produced a pistol, personnel were unable to provide commands due to Frazier Jr.'s violent actions.

According to Detective Whitney, he drove his vehicle and parked near Frazier Jr.'s apartment building after he heard the broadcast that Frazier Jr. was running southbound on Kester Avenue. Detective Whitney was wearing his tactical vest which had the word "Police" affixed to both the front and back. As Frazier Jr. approached Detective Whitney, Detective Whitney stated "Police." Frazier Jr. raised his right arm holding a pistol towards Detective Whitney. Faced with an imminent threat of serious bodily injury or death, Detective Whitney utilized lethal force to stop the deadly threat.

The UOFRB noted that there was minimal communication between personnel during the incident which started with a deficiently created Operational Plan. The UOFRB addressed, and I concur, that in person communication with all personnel in the operation may have alleviated any discrepancies and ensured a clear understanding of the Operational Plan to all involved.

Debriefing Point No. 1 Operational Plan (Substantial Deviation, without Justification—Captain Oddo, Detective Phillips, and Officer Romines).

Officers are trained to work together and function as a team. In order to ensure officer safety and help ensure an appropriate outcome, the primary officers and cover officers must effectively communicate with one another. Appropriate communication involves advising the primary officer of any critical occurrences or safety issues (California Commission on Peace Officers Standards and Training, Learning Domain 22).

Officers must approach every contact with officer safety in mind. Complacency, overconfidence, poor planning, or inappropriate positioning can leave officers vulnerable to attack (California Commission on Peace Officer Standards and Training, Learning Domain 21).

Detective Phillips approved an Operational Plan completed by Officer Romines that had numerous deficiencies. The Operational Plan did not outline clear tactical strategies for surveillance, containment, and apprehension which lead to a lack of coordination between the involved GND personnel and patrol officers.

Operational success is based on the ability of the officers to effectively plan and approach each incident in a safe manner. Officers, when faced with an ongoing tactical situation, must remain alert to improve their overall safety, by their ability to recognize an unsafe situation and work collectively to ensure a successful resolution. A sound Operational Plan should be implemented to ensure minimal exposure to the officers, while keeping in mind officer safety concerns.

In this case, Detective Phillips reviewed the Operational Plan formulated by Officer Romines which intended to utilize GND personnel in plain clothes to maintain surveillance on Frazier Jr. and have a single uniformed patrol unit conduct a pedestrian stop of Frazier Jr. who was known to be armed and was an identified robbery and murder suspect.

The UOFRB was critical of Detective Phillips' decisions to approve an Operational Plan that was wholly inadequate, did not designate roles to personnel, did not utilize available resources to

establish a perimeter or arrest team, and did not consider additional contingent tactical strategies to minimize risk to the community and allow the involved personnel to have an optimal tactical advantage. The UOFRB noted that the Operational Plan was not completed on the appropriate form, field units deployed and operated prior to the Operational Plan being completed, and the Operational Plan was not disseminated to all involved field units.

The UOFRB considered that the Operational Plan failed to utilize additional available patrol resources to maintain a perimeter, a lack of communication and coordination led to confusion, including when and where Frazier Jr. was preferred to be stopped, as well as which personnel would be part of the arrest team. Additionally, the UOFRB noted that Frazier Jr. was identified as a robbery and murder suspect who was likely armed, however, only one uniformed patrol unit was utilized as a "chase unit" without additional "chase units" or personnel nearby in the event the tactical situation deteriorated which could cause confusion and jeopardize officer safety.

Effective operational plans demand utilizing all available personnel, with designated roles, and clearly laying out a plan of action in order to maintain the safety of officers, as well as minimize the risk to the community. I would have preferred that Officer Romines had developed and communicated an Operational Plan which established roles and assignments, including perimeter officers and an arrest team, as well as lethal and less lethal designations. This would have enabled the involved personnel to maintain a tactical advantage and ensure they properly functioned as a team. I additionally would have preferred that the personnel continuously communicated their plans with each other throughout the entirety of the incident to ensure a successful resolution. I would have preferred that Detective Phillips utilized the time they had to thoroughly review Officer Romines' Operational Plan, addressed the clear deficiencies, and amended the plan to utilize the required personnel, with designated duties, and consider additional tactical strategies to maximize the tactical advantage of the involved personnel.

In reviewing this incident, the UOFRB was critical of Detective Phillips for allowing the surveillance team to deploy around Frazier Jr.'s residence prior to the Operational Plan being completed by Officer Romines and approved by Captain Oddo. Given Detective Phillips' tenure in the GFU, and responsibility as a Department supervisor, Detective Phillips should have been aware of the officer safety concerns that arise from deploying on a potentially armed homicide suspect without an Operational Plan in place. The UOFRB considered that Detective Phillips created an artificial sense of urgency to establish the surveillance of a homicide suspect who had already been under surveillance by patrol resources for multiple hours. The UOFRB noted the Operational Plan was completed on a form that reads "equivalent to..." and not the Department approved Operation Plan, LAPD Form 12.22.00.

By using this unapproved form, the UOFRB noted a deviation in the "Notifications Checklist;" specifically the lack of notation of SWAT and Air Support notifications. The UOFRB noted that specifically SWAT should have been contacted and briefed regarding the surveillance and possible arrest a potentially armed homicide suspect. The UOFRB also noted that four detectives were identified on the Operational Plan as being assigned personnel even though they were not present, nor involved in this tactical situation. Conversely, the uniformed officers assigned to the surveillance were not included in the Operations Plan.

The UOFRB noted that after completion, the Operational Plan was not reviewed by or disseminated to those involved in the tactical operation. The UOFRB noted that this review process would have allowed those involved in the Operational Plan to identify potential safety concerns and better understand their roles. The UOFRB was critical of Detective Phillips' decision to deploy on the surveillance and then to utilize only a probationary police officer with minimal experience and his training officer to act as the primary contact for a homicide suspect who is possibly armed with a firearm. The UOFRB noted that Detective Phillips should have considered utilizing additional patrol resources which would have then allowed him to maintain his responsibility as IC.

Based on the totality of the circumstances, the UOFRB determined, and I concur, that Detective Phillips' operational planning substantially and unjustifiably, deviated from approved Department tactical training. I will direct this to be a topic of discussion during the tactical debrief.

Captain Oddo approved an Operational Plan completed by Officer Romines that had numerous deficiencies. The Operational Plan did not outline clear tactical strategies for surveillance, containment, and apprehension which lead to a lack of coordination between the involved GND personnel and patrol officers.

In this case, ultimately Captain Oddo reviewed the Operational Plan formulated by Officer Romines which intended to utilize GND personnel dressed in plain clothes to maintain surveillance on Frazier Jr. and have a single patrol unit conduct a pedestrian stop of Frazier Jr. who was known to be armed and was an identified robbery and murder suspect.

The UOFRB was critical of Captain Oddo's decisions to approve an Operational Plan that was substantially inadequate, did not designate roles to personnel, did not utilize available resources to establish a perimeter or arrest team, and did not consider additional contingent tactical strategies to minimize risk to the community and allow the involved personnel to have an optimal tactical advantage. The UOFRB noted that the Operational Plan was not completed on the appropriate form, field units deployed and operated prior to the Operational Plan being completed, and the Operational Plan was not disseminated to all involved field units.

The UOFRB considered that the Operational Plan failed to consider the utilization of additional available patrol resources to maintain a perimeter. The Operational Plan also lacked communication and coordination led to confusion, including the time and location Frazier Jr. was to be stopped, as well as which personnel would be part of the arrest team. Additionally, the UOFRB noted that Frazier Jr. was identified as a robbery and murder suspect who was likely armed, however; only one uniformed patrol unit was utilized as a "chase unit" without additional "chase units" or personnel nearby in the event the tactical situation deteriorated.

In reviewing this incident, the UOFRB was critical of Captain Oddo's approval of the Operational Plan which did not include a specific Operational Plan and lacked clear objectives. The UOFRB noted that the Operational Plan did not identify each officer's specific role nor expectations during the surveillance and arrest of Frazier Jr. The Operational Plan was

completed on a document not approved by the Department that contained inaccurate and deficient information essential to officer safety. The UOFRB was critical of Captain Oddo for not taking a thorough analysis and more critical review of the Operational Plan. The UOFRB would have preferred for Captain Oddo to have ensured that SWAT was contacted to see if their response criteria based on Frazier Jr.'s recent violent actions were of a concern. The UOFRB noted that Captain Oddo did not communicate with his subordinate employees and did not advise officers in the field that he approved the Operational Plan which could cause confusion and jeopardize officer safety.

I would have preferred that Captain Oddo thoroughly reviewed Officer Romines' Operational Plan, addressed the clear deficiencies, and amended the plan to utilize the required personnel, with designated duties, and consider additional tactical strategies to maximize the tactical advantage of the involved personnel.

Based on the totality of the circumstances, the UOFRB determined, and I concur, that Captain Oddo's operational oversight substantially, and unjustifiably, deviated from approved Department tactical training. I will direct this to be a topic of discussion during the tactical debrief.

Effective operational plans demand utilizing all available personnel, with designated roles, and clearly laying out a plan of action in order to maintain the safety of officers, as well as minimize the risk to the community. I would have preferred that Officer Romines had developed and communicated an Operational Plan which established roles and assignments, including perimeter officers and an arrest team, as well as lethal and less lethal designations. This would have enabled the involved personnel to maintain a tactical advantage and ensure they properly functioned as a team.

The UOFRB minority noted, Officer Romines had approximately 13 years of experience in the GFU; however, he failed to develop an Operational Plan which included the appropriate number of personnel required for this operation, did not assign the required roles and duties, and did not consider additional tactical options in the event the tactical situation changed. The UOFRB minority opined Officer Romines' role in the creation of the Operational Plan was significant and led to poor communication and coordination.

The UOFRB majority reviewed the same set of facts and opined that though Officer Romines formulated and authored the Operational Plan, his role was minor, as he submitted the Operational Plan for review through his chain of command as required. The UOFRB majority considered that though Officer Romines' Operational Plan was deficient, the Operational Plan was only implemented upon review and approval by both Detective Phillips and Captain Oddo.

Based on the totality of the circumstances, the UOFRB minority determined, and I concur, that Officer Romines' operational planning substantially, and unjustifiably, deviated from approved Department tactical training. I will direct this to be a topic of discussion during the tactical debrief.

Debriefing Point No. 2 Foot Pursuit Concepts

"Cover" is a term often associated with combat tactics. Under such conditions, cover refers to anything that may stop or deflect an opponent's weapon (e.g., brick walls, buildings, portion of the vehicle with the engine block, etc.) (California Commission on Peace Officers Standards and Training, Learning Domain 21).

When officers have reasonable suspicion to detain a suspect and the suspect flees, the involved officers should make a quick assessment of the situation. They should evaluate the risk to themselves, other officers, the suspect and public safety versus what will be gained by engaging in the pursuit (Los Angeles Police Department, Use of Force-Tactics Directive, Foot Pursuit Concepts, Directive No. 3.2, October 2013).

Pursuing Armed Suspects: When pursuing a suspect believed to be armed, officers should generally do so in containment mode while considering the available tactical advantages, including cover and concealment where available. The goal is to maintain observation of the suspect and the tactical advantage while coordinating the response of additional units and other resources for a perimeter with the objective of containing the suspect and taking him into custody safely. The decision to pursue an armed suspect in apprehension mode may be appropriate when the suspect is at a tactical disadvantage and an arrest can be accomplished with limited risk to officers or innocent parties (Los Angeles Police Department, Use of Force-Tactics Directive, Foot Pursuit Concepts, Directive No. 3.2, October 2013).

Running with a Firearm: Running with a drawn firearm can increase an officer's chance of having an unintentional discharge. Therefore, under most circumstances, officers will have their firearms holstered when involved in a foot pursuit. However, the drawing and exhibiting of an officer's firearm while running may be reasonable based on the officer's reasonable belief that the situation may escalate to the use of deadly force (Los Angeles Police Department, Use of Force-Tactics Directive, Foot Pursuit Concepts, Directive No. 3.2, October 2013).

During containment operations, good cover is critical to ensure the safety of officers on the perimeter. Cover offers protection from gunfire and allows an officer to safely observe the suspect's probable position. Also, it is important to ensure that no crossfire situation exists (Los Angeles Police Department, Use of Force-Tactics Directive, Foot Pursuit Concepts, Directive No. 3.2, October 2013).

As Officer Vela initiated the foot pursuit, Officer Vela stated that he was in apprehension mode. According to Officer Vela, his goal was to stop Frazier Jr. as quickly as he could.

During the foot pursuit, Officer Vela unholstered his service pistol after observing that Frazier Jr. ran with his firearm in his hand.

As an arrest team was being assembled to take Frazier Jr. into custody, Officer Vela moved away from cover onto the sidewalk to where Frazier Jr. was laying down.

The UOFRB minority reviewed the incident and opined that the totality of the tactics utilized by Officer Vela after electing to pursue Frazier Jr. in apprehension mode substantially deviated from Department approved tactics. Frazier Jr. was known to Officer Vela to be extremely violent and Officer Vela observed him to be armed with a handgun. Officer Vela had cover available at the time of the foot pursuit and elected not to seek cover behind parked vehicles and ran on the sidewalk directly behind Frazier Jr. While doing so, Officer Vela ran with his firearm drawn, holding his handheld police radio in his support hand and possibly is observed on BWV with his service pistol drawn in a low ready position in close proximity to Officer Villegas's lower extremities. Officer Vela had limited options for cover when he repositioned from a parked vehicle to a small wall, creating a potential crossfire with other GND personnel. Based on the totality of Officer Vela's tactics, the UOFRB minority recommended that the Tactics findings for Officer Vela be classified as Administrative Disapproval/Out of Policy.

The UOFRB majority reviewed the same set of facts and noted that although Officer Vela did not utilize the available limited cover afforded to him while in foot pursuit of Frazier Jr., Officer Vela's primary concern was to immediately stop the threat posed by Frazier Jr. to the community. Officer Vela was conscious of his surroundings and aware that cover was readily available nearby. Although Officer Vela stated that he was in apprehension mode of Frazier Jr., his actions of not closing the distance between himself and Frazier Jr. while in foot pursuit, demonstrated that he did not have the intent to apprehend Frazier Jr., and was merely attempting to keep a visual of Frazier Jr. The UOFRB majority considered that Frazier Jr. was not in close proximity to Officer Vela and was running at a much faster pace. At no time did Frazier Jr. turn and confront Officer Vela with a weapon. Additionally, the UOFRB majority considered that Officer Vela's decision to move forward and utilize a small block wall as cover was solely to gain a better vantage of Frazier Jr.'s hands and handgun in order to accurately assess the tactical situation. The UOFRB majority did not consider Officer Vela as having covered officer Villegas with his service pistol as Officer Vela moved behind a vehicle. The UOFRB majority opined that Officer Vela's tactical decision regarding utilization of cover was reasonable with no Department policy violation and did not unjustifiably deviate from Department approved tactics.

I would have preferred that Officer Vela utilize the best available cover afforded to him throughout this tactical situation. The use of cover provides officers the necessary protection required to utilize their available time and resources to assess tactical situations and proceed with the best possible tactical option.

Based on the totality of the circumstances, the UOFRB majority determined, and I concur, that while identified as an area for improvement, Officer Vela's actions were not a deviation from approved Department tactical training. I will direct this to be a topic of discussion during the Tactical Debrief.

**Debriefing Point No. 3 Utilization of Cover (Substantial Deviation, with Justification)
Detective Whitney**

Cover is defined as any object or structure that will stop the opponent's bullets. Officers should attempt to move to and use available cover when involved in any tactical situation and especially when there are weapons involved. Officers should be aware of what items in their surrounding area can be used as cover and what type of cover is required to stop specific rounds (handgun, shotgun, or rifle rounds) (Los Angeles Police Department, Basic Firearms Manual, July 2015).

Whenever possible, officers should place an object between themselves and the suspect as cover or a barrier. A barrier could be a chain link fence, wrought iron gate or any similar object that prevents the assailant from reaching the officer. If the suspect is contained and does not pose an immediate threat to officers, the public or himself/herself, time is our best tool. Time allows more opportunity to communicate with the suspect and helps to calm the situation (Los Angeles Police Department, Training Bulletin, Volume XLVI, Issue 3, Weapons Other Than Firearms, October 2017).

Detective Whitney moved away from cover after he fired his first round.

According to Detective Whitney, he observed from his peripheral view the pursuing officers approaching Frazier Jr. from the north of Kester Avenue. Frazier Jr. was still moving and holding the gun in his right hand. Detective Whitney stepped around to the front of his vehicle and took two or three steps towards Frazier Jr., to close the distance and to better assess Frazier Jr.'s actions. Detective Whitney's decision to move up from his original position would allow him to deliver more effective shots, if needed. Detective Whitney remained away from cover when he fired the second and third round. After firing the third round, Detective Whitney then redeployed to the passenger side of his vehicle, using the engine block as cover.

The utilization of cover, coupled with distance, enables an officer to confront an armed suspect while simultaneously minimizing their own exposure. As a result, the overall effectiveness of a tactical incident can be enhanced, while also increasing an officer's tactical options by using available cover.

The video captured by KTTV Fox 11 Los Angeles news captured a portion of the OIS. The video captured Detective Whitney's second and third gunshots. The video depicts Detective Whitney standing in front of this vehicle, pointing his shotgun at Frazier Jr., who was laying on the sidewalk. Frazier Jr.'s head was pointed in a southwest direction, his feet pointed toward the curb of Kester Avenue, and his back was toward Detective Whitney.

The UOFRB noted Detective Whitney left his position of cover behind his vehicle to close the distance and to better assess Frazier Jr.'s actions. Detective Whitney also recognized that officers that were in foot pursuit of Frazier Jr. would be approaching from the north and by moving to a better position, would lessen the possibility of a crossfire situation. The UOFRB considered that Detective Whitney was in close proximity to available cover from his vehicle and

moved away from cover in order to improve his vantage point of Frazier Jr.'s handgun and assess the tactical situation. The positioning of Frazier Jr., lying on the ground with his back towards Detective Whitney, allowed for Detective Whitney to better assess his actions, and at the same time observe the approaching officers. Detective Whitney's position allowed him to have a better observation to accurately assess the threat posed by Frazier Jr. Detective Whitney's assessment of Frazier Jr.'s actions led to two additional rounds being fired in order to stop the deadly threatened by Frazier Jr. to the other responding officers. The UOFRB noted Detective Whitney immediately redeployed to the passenger side of his vehicle and utilized his vehicle's engine block as cover after the third round was fired.

Based on the totality of the circumstances, the UOFRB determined, and I concur, Detective Whitney's decision to leave cover was a substantial deviation, with justification, from approved Department tactical training. In order to enhance future performance, I will direct that this topic be discussed during the Tactical Debrief.

Additional Tactical Debrief Topics

Shotgun Manipulation while Seated inside a Vehicle – Detective Whitney held his loaded shotgun between his legs, while seated in his vehicle, and proceeded to drive to the area where he waited for Frazier Jr. to approach. Officer Whitney is reminded the importance of officer safety and to adhere to the best practices in order to mitigate the instances that could lead to an unintentional discharge due to shotgun placement. To enhance future performance, I will direct this be a topic of discussion during the Tactical Debrief.

Preservation of Evidence – As Frazier Jr. was being handcuffed during the continued tactical incident, Officer Palomino picked up Frazier Jr.'s handgun prior to being instructed by Sergeant Lankford to leave the handgun in place. Officer Palomino is reminded of maintaining integrity at the scene of a Categorical Use of Force and the importance of preserving all evidence for investigators. I will direct this be a topic of discussion during the Tactical Debrief.

Simultaneous Non-Conflicting Commands – The FID investigation revealed that Officer Vela and multiple unidentified officers gave multiple non-conflicting simultaneous commands to both Frazier Jr. and Duhaney after the OIS. Duhaney was given multiple commands by multiple officers to move away from the area. Frazier Jr. was given multiple commands by multiple officers to "let go of the gun." Although the commands were non-conflicting, the officers are reminded that simultaneous commands can sometimes lead to confusion and non-compliance. I will direct this be a topic of discussion during the Tactical Debrief.

Command and Control

Command and Control is the use of active leadership to direct others while using available resources to coordinate a response, accomplish tasks and minimize risk. Command uses active leadership to establish order, provide stability and structure, set objectives and create conditions under which the function of control can be achieved with minimal risk. Control implements the plan of action while continuously assessing the situation, making necessary

adjustments, managing resources, managing the scope of the incident (containment), and evaluating whether existing Department protocols apply to the incident.

Command and Control is a process where designated personnel use active leadership to command others while using available resources to accomplish tasks and minimize risk. Active leadership provides clear, concise, and unambiguous communication to develop and implement a plan, direct personnel and manage resources. The senior officer or any person on scene who has gained sufficient situational awareness shall initiate Command and Control and develop a plan of action. Command and Control will provide direction, help manage resources, and make it possible to achieve the desired outcome. Early considerations of PATROL will assist with the Command and Control process (Los Angeles Police Department, Training Bulletin, Volume XLVII Issue 4, July 2018).

Line Supervision – Defined. A supervisor who has the specific responsibility of issuing directions and orders to designated subordinates shall be considered as having the duty of line supervisor and shall be held accountable for achieving conformance with the directions and orders that he/she issues (Los Angeles Police Department Manual, Volume 3, Section 135).

Incident Commander (IC) – In accordance with Department Policy, the IC sets the objectives, the strategy and directs the tactical response. Directing the tactical response means applying tactics appropriate to the strategy, assigning the right resources and monitoring performance (Supervisor's Field Operations Guide, Volume 2, LAPD Emergency Operations Guide).

According to Detective Phillips, he was the supervisor for the incident and the IC after the OIS. Detective Phillips was involved in the initial planning of the operation and directed Officer Romines to complete an Operational Plan. Prior to the Operational Plan being approved by Captain Oddo, Detective Phillips directed GFU personnel to deploy and set up the surveillance around Frazier Jr.'s apartment. After Officer Romines completed the Operational Plan, Officer Romines emailed it to Detective Phillips who then forwarded the Operational Plan to Detective Oderinlo and Lieutenant Baley. According to Detective Phillips, before he left VNYS CPS to join the surveillance, he met with Sergeant Mojica, who provided him the telephone numbers for Officers Kim and Gutierrez. Detective Phillips stated he made telephonic notification to Officers Kim and Gutierrez and advised them GFU personnel were enroute to set up the surveillance and briefed them of the Operational Plan to allow Frazier Jr. to walk away from the apartment building and to move in when requested to conduct a high-risk pedestrian stop. Once the surveillance team was set up at the location, Detective Phillips notified CD, placed the GFU Code Six and requested a Code Five around 5461 Kester Avenue. When Officer Vela and Villegas arrived at the location and relieved Officers Gutierrez and Reese, Detective Phillips briefed Officers Vela and Villegas of the Operational Plan over the phone and sent them a text message photograph of Frazier Jr. Shortly after the OIS, Detective Phillips relinquished the duties of IC to Sergeant Lankford.

In this case, Detective Phillips reviewed and approved the Operational Plan formulated by a subordinate officer which intended to utilize GND personnel in plain clothes to maintain surveillance on Frazier Jr. and have a single patrol unit available to conduct a pedestrian stop of Frazier Jr. who was known to be armed and was an identified robbery and murder suspect. I am critical of Detective Phillips' decisions to approve an Operational Plan that was inadequate, did not designate roles to personnel, did not utilize available resources to establish a perimeter or arrest team, and did not consider additional contingent tactical strategies to minimize risk to the community and allow the involved personnel to have an optimal tactical advantage.

The actions of Detective Phillips were not consistent with Department supervisory training nor my expectations of a tenured field supervisor during a pre-planned critical incident.

According to Sergeant Tafoya, once he assumed Watch Commander duties, he called Detective Phillips and discussed his expectations regarding the involvement of Van Nuys Patrol Division officers who were assisting him with the surveillance operation. Sergeant Tafoya discussed vehicle pursuits, containment, and perimeters in the event Frazier Jr. fled the location. Sergeant Tafoya stated he was satisfied with the verbal Operational Plan. Sergeant Tafoya directed Officers Vela and Villegas to relieve Watch Three Officers Gutierrez and Reese, who were already in the area of Frazier Jr.'s apartment. Sergeant Tafoya notified, Captain Chandler via email of the Operational Plan. Sergeant Tafoya indicated he contacted ASD, briefed the surveillance operation, and requested for the Air Unit assigned to OVB to assist with the surveillance operation. After the OIS, at approximately 1027 hours, Sergeant Tafoya arrived at scene of the OIS, was briefed of the incident by Sergeant Lankford, and assumed the responsibility of IC. Sergeant Tafoya remained IC, until he was relieved by Captain Chandler. According to Sergeant Tafoya, he and Sergeant Lankford put together a search team to search the apartment building for victims and possible family members of Frazier Jr.

According to Sergeant Lankford, she was briefed of the Operation Plan during roll call and also spoke to Officers Vela and Villegas on the phone once they got to the area of Frazier's apartment. Sergeant Lankford discussed her concern with having only two officers that were going to approach a possible murder suspect that was armed with Sergeant Tafoya. Sergeant Tafoya contacted Detective Phillips who advised Sergeant Tafoya that GFU would back up the uniformed officers until they had necessary resources and GFU would assist and support the uniformed officers. According to Sergeant Lankford he arrived at scene a few seconds' post OIS. According to Sergeant Lankford, she approached the crime scene and observed officers standing behind a parked vehicle along the west curb of Kester Avenue. Sergeant Lankford located Detective Phillips and asked him what he needed. Detective Phillips requested Sergeant Lankford assume the position as the IC. Sergeant Lankford declared herself as the IC and took over command and control duties.

Sergeant Lankford formulated a plan to handcuff Frazier Jr. and ensured the arrest team had lethal and less-lethal use of force options. Sergeant Lankford also verified the officers assigned to the arrest team knew their duties. After Frazier Jr. was handcuffed, Sergeant Lankford was made aware of the close proximity to Frazier Jr.'s residence and that the residence and area had not been cleared of possible additional victims or suspects. Due to the shooting occurring

directly in front of an apartment complex and the possibility that community members may have been injured by gun fire Sergeant Lankford directed a cursory search of two apartments. Sergeant Lankford secured the crime scene and identified the command post location at a nearby gas station. Sergeant Lankford activated her BWV while responding to the OIS scene, and it captured her actions as she coordinated the arrest team and Frazier Jr.'s handcuffing.

According to Sergeant Blanchard, he arrived at the location and assisted with securing the crime scene. Sergeant Blanchard was directed by Captain Chandler to take a PSS from Detective Whitney. According to Sergeant Blanchard, he separated Detective Whitney from the other involved officers, sat him inside a police vehicle, and took a PSS from him. Sergeant Blanchard then transported Detective Whitney to Van Nuys CPS, where he monitored him until relieved by Sergeant Grant at approximately 1130 hours.

According to Captain Chandler, he arrived at location after the OIS at approximately 1030 hours and took over as the IC. Captain Chandler verified Detective Whitney was the only Department employee involved in the OIS, separated him and Detective Phillips, and assigned supervisors to monitor them. Captain Chandler directed Sergeant Blanchard to take a PSS from Detective Whitney.

The UOFRB noted Captain Chandler's actions while at scene of the OIS. Captain Chandler observed Detective Phillips attempt to receive a PSS from Detective Whitney and stopped this action as both were involved in the incident. It was noted that Captain Chandler proactively managed the Command Post.

The actions of Sergeants Tafoya, Lankford, Blanchard and Captain Chandler were overall consistent with Department supervisory training and my expectations of field supervisors during a critical incident.

According to Captain Oddo, he reviewed and approved the Operational Plan on the morning of October 16, 2019, after it was emailed to him. Captain Oddo was notified of the OIS after receiving a phone call from Detective Phillips. Captain Oddo responded to the incident and monitored the investigation.

In this case, Captain Oddo reviewed and approved the Operational Plan formulated by a member of his command which intended to utilize GND personnel in plain clothes to maintain surveillance on Frazier Jr. and have a single patrol unit conduct a pedestrian stop of Frazier Jr. who was known to be armed and was an identified robbery and murder suspect.

I am critical of Captain Oddo's approval of the Operational Plan which did not include a specific Operational Plan and lacked clear objectives. The Operational Plan did not identify each officer's specific role nor expectations during the surveillance and arrest of Frazier Jr. The Operational Plan was completed on a document not approved by the Department and contained inaccurate names of the officers involved in the surveillance operation and deficient information essential to officer safety. I am critical of Captain Oddo for not conducting a thorough analysis

and more critical review of the Operational Plan involving a violent suspect, creating potential safety concerns for Department personnel and the community.

The actions of Captain Oddo were not consistent with Department supervisory training nor my expectations of a Commanding Officer during a critical incident.

Tactical Debrief

In conducting an objective assessment of this case, the UOFRB determined, and I concur, that Detectives Whitney, Lopez, Ruiz, Sergeant Lanford, and Officers Vela, and Villegas' tactics did not substantially deviate from approved Department tactical training.

In conducting an objective assessment of this case, the UOFRB determined, and I concur, that Captain Oddo's, along with Detective Phillip's actions were a substantial deviation, without justification from Department policy and tactical training, thus requiring a finding of Administrative Disapproval.

In conducting an objective assessment of this case, the UOFRB minority determined, and I concur, Officer Romines' actions were a substantial deviation, without justification from Department policy and tactical training, thus requiring a finding of Administrative Disapproval.

Each tactical incident also merits a comprehensive debriefing. In this case, there were identified areas where improvement could be made. A Tactical Debrief is the appropriate forum for the involved personnel to discuss individual actions that took place during this incident.

Although, it was determined that Officer Palomino was not substantially involved in this incident and did not receiving formal findings, the UOFRB recommended, and I concur, that he would benefit from attending the Tactical Debrief to enhance future performance during similar incidents.

Therefore, I will direct Captain Oddo, Detectives Phillips, Whitney, Lopez, Ruiz, Sergeant Lankford, and Officers Romines, Vela and Villegas attend a Tactical Debrief and that the specific identified topics are discussed.

Note: Additionally, the Tactical Debrief shall also include the following mandatory discussion points:

- Use of Force Policy;
- Equipment Required/Maintained;
- Tactical Planning;
- Radio and Tactical Communication (including Code Six);
- Tactical De-Escalation;
- Command and Control; and,
- Lethal Force.

General Training Update (GTU)

On October 29, 2019, Detective Whitney attended a General Training Update (GTU). All mandatory topics were covered.

Drawing/Exhibiting

Department policy relative to drawing and exhibiting a firearm is: *"An officer's decision to draw or exhibit a firearm should be based on the tactical situation and the officer's reasonable belief there is a substantial risk that the situation may escalate to the point where deadly force may be justified"* (Los Angeles Police Department Manual, Volume No. 1, Section 556.80).

Detective Whitney

According to Detective Whitney, upon hearing Detective Lopez' broadcast that Frazier Jr. exited the apartment building and while seated in his vehicle, he donned his Department issued tactical vest. Detective Whitney reached for his Department issued 12-gauge, M4 Benelli semiautomatic shotgun, which was loaded in the patrol ready configuration, located next to him on the front passenger seat of his unmarked gray colored Dodge Caravan.¹⁵ Detective Whitney slung his shotgun around his neck, placed the shotgun between his legs with the barrel facing toward the floorboard, and chambered a round into the shotgun. Detective Whitney drove to Kester Avenue north of Clark Street, pulled over to the east side curb, facing north, and waited for further information. Detective Whitney exhibited his shotgun due to his knowledge that Frazier Jr. was wanted for murder, had a criminal history of violence, and understood there was a likelihood that this situation could escalate to the use of deadly force.

Detective Whitney recalled,

Tony called the suspect out to the front (meaning Frazier Jr exited the building), the main exit of the apartment building and he gave a clothing description. He said he's got gray pants on and some shoes and yellow backpack, which was also worn during the murder, but no shirt. At that point, I believed it sounded like Detective Lopez was saying that he's getting ready to leave. And so at that point, where I was seated in my vehicle, I have a -- my shotgun is to the side of me in the passenger area at a patrol ready status.¹⁶

First, I put my vest on. Then I grabbed the Benelli. It's in patrol ready configuration. I put it down into my -- in between my legs.¹⁷

¹⁵ Patrol Ready – The condition in which a weapon system is configured with an empty chamber and its magazine is loaded to capacity (LAPD Basic Firearms Manual, Shotgun Section, Chapter 5, Remington 870 Shotgun Manipulations).

¹⁶ Detective Whitney, Page 14, Lines 9-18

¹⁷ Detective Whitney, Page 14, Lines 22-25

Put on my sling, and I charged the shotgun. So there's one in the chamber and there were now four beanbags in the tube. And all of this I'm doing to prepare to -- for the eventual takedown that's going to happen.¹⁸

We knew that this -- we knew this was a murder suspect, and identified murder suspect, or used a weapon recently in the past. And he has a -- he has a criminal history of violence. And I felt like there was a likelihood that this situation could escalate to the use of deadly force which may require a shotgun. And so when I'm sitting in my car, that was the tool that I select.¹⁹

At which point, one of my partners, I believe it was Joel, Joel Ruiz, he said, "He's running southbound on west sidewalk. He's got a gun." Then he repeated, "He's got a gun." At this point, I started moving northbound on Kester in the number one lane. And as I'm moving northbound, I can start to see his head down -- coming down the sidewalk. As I get to just south of the apartment entrance, I can see him probably 30 or 40 feet north of the apartment entrance running at full speed. And I can see the gun swinging in his hand. It was a small black pistol that he would -- he was running southbound. I deployed. I crossed over the southbound lanes at a 45-degree angle as he's running southbound. I opened the door with my left hand, and I pinned it with my left foot. All right? At that point, I step out of the vehicle, and I'm in a low-ready with the shotgun, and I step just to the side of the door with the -- which I -- and I felt like I had a little 1 bit of cover from the engine block, the way I configured the car against the curb at that -- at that angle. So I tried to stay behind the engine block. And I said, "Police."²⁰

Detective Lopez

According to Detective Lopez, he drove his vehicle and parked near the area where the OIS occurred. Detective Lopez drew his service pistol because he knew the danger Frazier Jr presented to the public as well as to Department personnel. Frazier Jr had been observed carrying a handgun as he ran from Department personnel and believed the situation had escalated to the use of deadly force and that Frazier Jr could cause serious injury or death to members of the public and Department personnel.

Detective Lopez recalled,

I deployed my pistol, because I believe the situation had escalated to the use of deadly force because of the suspect being armed. And not being taken into custody at that point, he would be a danger to the community or to my officers and not taking him into custody, be a danger to them, could cause -- I'm sorry. Could cause serious injury or death to any other member of the community or my partners not taking him into custody.²¹

¹⁸ Detective Whitney, Page 15, Lines 1-5

¹⁹ Detective Whitney, Page 33, Lines 21-25, Page 34, Lines 1-2.

²⁰ Detective Whitney, Page 16, Lines 8-25, Page 17, Lines 1-5.

²¹ Detective Lopez, Page 72, Lines 23-25, Page 73, Lines 1-6.

I unholstered it, exited my vehicle, because at that point I knew he was armed. I had already seen him running with the handgun.²²

Detective Ruiz

According to Detective Ruiz, he drew his service pistol when he got to the OIS location and got out of his vehicle. He was aware of the danger Frazier Jr. presented to the public and of his violent history. Detective Ruiz drew his service pistol after he heard three gunshots and believed that the situation could rise to the use of deadly force.

Detective Ruiz recalled,

I unholstered when I got to the scene, when I got out of my car, believing that the situation could rise to the use of deadly force. It was an immediate defense of life situation. I heard three gunshots. And I didn't holster my weapon until the suspect was taken into custody and there was a Code 4.²³

I unholstered. I was in a low-ready position until I got to where the suspect was, and I maintained a high low-ready, finger alongside of the frame.²⁴

Officer Vela

According to Officer Vela, he was aware of Frazier Jr.'s violent past which included homicide and armed robbery. Officer Vela drew his service pistol as he was chasing Frazier Jr., whom he had observed to be in possession of a handgun, and observed Frazier Jr. scanning from side to side and felt as if Frazier Jr. was going to point a handgun and fire back in Officer Vela's direction. Officer Vela drew his service pistol under his belief the tactical situation may escalate to use of deadly force.

Officer Vela recalled,

I can hear from my radio that GND's broadcasting that they also see the -- the weapon as well. And I did hear what I believe is they put out a backup between them and Airship are broadcasting. So we -- I go in foot pursuit. Probably that first complex, the apartment complex, I can see the suspect kind of looking towards like side to side and kind of towards to see where I was at. At that point, I unholstered, just from experience from with the gang stuff, it looked like I felt that he was going to point and fire back at me. That's why I continued chasing him with my gun out.²⁵

²² Detective Lopez, Page 73, Lines 8-10.

²³ Detective Ruiz, Page 28, Lines 2-7.

²⁴ Detective Ruiz, Page 28, Lines 10-13.

²⁵ Officer Vela, Page 16, Lines 15-25, Page 17, Line 1.

I had a reasonable belief the tactical situation may escalate to use of deadly force based off that he had a gun, then violence of the homicide and the armed robbery.²⁶

Officer Villegas

According to Officer Villegas, he drew his service pistol after he heard the two gunshots and knew Frazier Jr. was armed. Officer Villegas believed the situation had escalated to the point where deadly force would have been justified.

Officer Villegas recalled,

I unholstered my pistol at that point because I was no longer running. I had heard the two gunshots, and I knew the suspect was armed. So if I perceived it to be per the situation had escalated to the point where deadly force would have been justified.²⁷

In this case, the UOFRB conducted a thorough evaluation of the reasonableness of Detectives Whitney, Lopez, Ruiz and Officers Vela and Villegas' Drawing/Exhibiting. The UOFRB noted that Detectives Whitney, Lopez, and Ruiz and Officers Vela and Villegas were conducting surveillance on a known murder suspect. Detective Whitney exhibited his shotgun because he observed Frazier Jr. in possession of a handgun. Detective Lopez drew his service pistol after he observed Frazier Jr. running from officers while in possession of a handgun. Detective Ruiz drew his service pistol due to his knowledge of Frazier Jr.'s violent history and after hearing three gunshots. Officer Vela drew his service pistol as he was chasing Frazier Jr., whom he had observed holding a handgun, and observed Frazier Jr. looking around as if he was going to turn and shoot in his direction. Officer Villegas drew his service pistol after he heard two gunshots and knew Frazier Jr. was armed with a handgun. During their surveillance, detectives observed Frazier Jr. flee the location on foot. Frazier Jr. produced a handgun when he observed officers and in response, officers drew their service pistols and exhibited a shotgun (Detective Whitney) to protect themselves and others from the immediate threat of serious bodily injury or death created by Frazier Jr.

As such, based on the totality of the circumstances, the UOFRB determined, and I concur, that an officer with similar training and experience as Detectives Whitney, Lopez, and Ruiz and Officers Vela and Villegas, while faced with similar circumstances, would reasonably believe that there was a substantial risk the situation may escalate to the point where deadly force may be justified.

Therefore, I find Detectives Whitney, Lopez, and Ruiz and Officers Vela and Villegas' Drawing/Exhibiting to be In-Policy, No Further Action.

²⁶ Officer Vela, Page 45, Lines 8-11.

²⁷ Officer Villegas, Page 35, Line 25, Page 36, Lines 1-4.

Use of Force – General

It is the policy of this Department that personnel may use only that force which is “objectively reasonable” to:

- *Defend themselves;*
- *Defend others;*
- *Effect an arrest or detention;*
- *Prevent escape; or,*
- *Overcome resistance*

The Department examines reasonableness using Graham v. Connor and from the articulated facts from the perspective of a Los Angeles Police Officer with similar training and experience placed in generally the same set of circumstances. In determining the appropriate level of force, officers shall evaluate each situation in light of facts and circumstances of each particular case. Those factors may include, but are not limited to:

- *The seriousness of the crime or suspected offense;*
- *The level of threat or resistance presented by the subject;*
- *Whether the subject was posing an immediate threat to officers or a danger to the community;*
- *The potential for injury to citizens, officers or subjects;*
- *The risk or apparent attempt by the subject to escape;*
- *The conduct of the subject being confronted (as reasonably perceived by the officer at the time);*
- *The amount of time and any changing circumstances during which the officer had to determine the type and amount of force that appeared to be reasonable;*
- *The availability of other resources;*
- *The training and experience of the officer;*
- *The proximity or access of weapons to the subject;*
- *Officer versus subject factors such as age, size, relative strength, skill level, injury/exhaustion and number officers versus subjects; and,*
- *The environmental factors and/or other exigent circumstances. (Los Angeles Police Department Manual, Volume 1, Section 556.10)*

Lethal Use of Force

Law enforcement officers are authorized to use deadly force to:

- *Protect themselves or others from what is reasonably believed to be an imminent threat of death or serious bodily injury; or,*
- *Prevent a crime where the subject’s actions place person(s) in imminent jeopardy of death or serious bodily injury; or,*

- *Prevent the escape of a violent fleeing felon when there is probable cause to believe the escape will pose a significant threat of death or serious bodily injury to the officer or others if apprehension is delayed. In this circumstance, officers shall, to the extent practical, avoid using deadly force that might subject innocent bystanders or hostages to possible death or injury (Los Angeles Police Department Manual, Volume No.1, Section 556.10).*

The reasonableness of an Officer's use of deadly force includes consideration of the officer's tactical conduct and decisions leading up to the use of deadly force (Los Angeles Police Department Manual, Volume No.1, Section 556.10).

Detective Whitney, First Round – One round, Federal Premium, 12 gauge, 2 ¾ “OO” buck, 12 pellet shotgun shell, fired in a westerly direction, from an approximate distance of 27 feet.

According to Detective Whitney, he identified himself as the police, Frazier Jr. looked at him and while holding the handgun in his right hand and began to raise the gun in Detective Whitney's direction. Detective Whitney believed Frazier Jr. was going to shoot him. In fear for his life and to protect himself from imminent death or great bodily injury, Detective Whitney disengaged the safety of his shotgun, aimed for Frazier Jr.'s center body mass, and fired one round at him.

Detective Whitney Recalled,

He acquired me as a target. He looked straight at me. And that gun was coming up at me, and I was sure he was going to shoot at me.²⁸

And he looked at me, and the gun came up in my direction, and I thought -- I thought for sure he was going to shoot me. I was afraid he was going to shoot me. And fearing for my life and to protect myself from imminent, well, I don't -- great bodily injury or death, I fired one round. And -- and, just, I disengaged the safety and I fired one round.²⁹

And one thing I forgot to mention was as I'm coming in to park my car, there's a pedestrian right off to the side of me, right at -- in the grass south of the entrance to the apartment building. And I didn't know what his relationship, if there was any, to the -- to the suspect, but part of my concern as I was getting off of the car was that he could potentially take this guy hostage and go run into his apartment and barricade. And at any rate, when he flashed - - when that gun came up in my direction, I pressed that round, and it was clear that I hit him, and he stumbled down to the ground. He was still holding the -- the gun.³⁰

Yeah. That first round, I totally thought he was going to shoot me. He had me -- he had locked eyes with me, and that gun was coming up. And then when he was rolling northbound, I was convinced that he was going to shoot my partners that were coming

²⁸ Detective Whitney, Page 37, Lines 5-6 and 8-9.

²⁹ Detective Whitney, Page 17, Lines 6-12.

³⁰ Detective Whitney, Page 17, Lines 17-25, page 18, Lines 1-4.

down the sidewalk. And as – I shot those rounds to – I fired round two and three to protect them from imminent great bodily injury or death as well.³¹

Detective Whitney, Second Round – One round, Federal Premium, 12 gauge, 2 ¾ “OO” buck, 12 pellet shotgun shell, fired in a westerly direction, from an approximate distance of 15 feet.

According to Detective Whitney, he observed Frazier Jr. trying to sit up. Detective Whitney could see Frazier Jr.’s right arm which is the hand that Frazier Jr. had the gun in. Detective Whitney was sure Frazier Jr. had that gun and was pointing it in a northerly direction toward the pursuing officers who were running on foot. Detective Whitney was fearful Frazier Jr. was going to shoot at approaching officers, in order to defend them from the imminent threat of great bodily injury or death Frazier Jr. posed on personnel, Detective Whitney aimed at Frazier Jr.’s lower, mid-right, back and fired a second shot from his M4 Benelli semiautomatic shotgun.

Detective Whitney Recalled,

I could see he was moving on the ground. And at this point, I could see people coming southbound on the sidewalk that I thought it was my partners, because they're -- I'm assuming the foot pursuit is going on, and I thought it was my partners coming down on him. And this -- the -- and Frazier, he -- I could see him. It looks like he's trying to sit up, and I can see his right arm which is the hand that he had that gun in. And I'm sure he had that gun. And he was pointing it in the direction down northbound towards the people that were coming, and I pressed the second round and assessed over my sights.³²

Detective Whitney, Third Round – One round, Federal Premium, 12 gauge, 2 ¾ “OO” buck, 12 pellet shotgun shell, fired in a westerly direction, from an approximate distance of 15 feet.

According to Detective Whitney, he assessed, and believed his second shot missed, because it did not have an effect on Frazier Jr., since he continued to point his handgun in a northerly direction toward the pursuing officers. Detective Whitney, believed Frazier Jr. continued to pose a threat to the approaching officers because his second round did not stop Frazier Jr.’s actions. Detective Whitney aimed at Frazier Jr.’s back, center mass, and fired a third round from his shotgun. Detective Whitney assessed and observed Frazier Jr. collapse onto his left side, and he was no longer able to see Frazier Jr.’s handgun.

Detective Whitney Recalled,

And it didn't seem to have the -- it didn't stop him from doing what he was doing. He – I don't know if I missed him or if maybe I didn't get him with all of the pellets or what happened, but it didn't seem to have any effect. And he continued to lean north, and I pressed a third round. And he collapsed over onto his left side.³³

³¹ Detective Whitney, Page 21, Lines 6-13.

³² Detective Whitney, Page 18, Lines 7-19.

³³ Detective Whitney, Page 18, Lines 20-25.

I pressed the second round. It didn't look like it was having any effect. Like I said, it didn't stop him from leaning forward and leaning in the direction with that gun. It didn't stop him from doing any of that.³⁴ And he still, he continued to pose this imminent threat of serious bodily injury to my partners, and so I pressed that third round to stop him.³⁵

In this case, the UOFRB conducted a thorough review of the investigation and considered several factors in evaluating the reasonableness of Detective Whitney's use of lethal force. The UOFRB noted that the incident was a stressful situation wherein the officers were attempting to arrest a homicide suspect that was armed with a handgun. The UOFRB noted that this was a dynamic and rapidly unfolding incident where the suspect pointed a handgun at Detective Whitney causing him to fear for his life as well as the lives of additional officers who were present at scene. Detective Whitney was forced to make a split-second decision to protect himself and the nearby officers from the deadly threat. According to Detective Whitney, Frazier Jr. looked at him while holding a handgun in his right hand and began to raise the handgun in Detective Whitney's direction, prompting Detective Whitney to discharge his shotgun to protect his life. After firing his initial round, Detective Whitney assessed that Frazier Jr. continued to hold the handgun and point it at the officers who were approaching. In fear of their lives, Detective Whitney fired two additional rounds to stop the deadly threat presented by Frazier Jr.

The UOFRB also noted that Frazier Jr. was armed with a semiautomatic handgun and fleeing from uniformed officers. The FID investigation revealed, that Frazier Jr. fired his weapon after being confronted and shot by Detective Whitney. Frazier Jr. had ample opportunity to disarm himself and surrender to the officers.

As such, based on the totality of the circumstances, the UOFRB determined, and I concur, that an officer with similar training and experience as Detective Whitney, would reasonably believe that Frazier Jr.'s actions presented an imminent threat of death or serious bodily injury and that the Use of Lethal Force would be objectively reasonable. Therefore, I find Detective Whitney's Use of Lethal Force to be In Policy, No Further Action.

Additional/Equipment

Required Equipment – The FID investigation revealed that Officer Romines was not in possession of his Oleoresin Capsicum (OC) spray. Captain Oddo advised that this issue was addressed with Officer Romines through the issuance of an Employee Comment Sheet. The Commanding Officer of Detective Services Group (DSG) and the Director of the Office of Special Operations (OSO) concurred with this action. As such, I deem no further action is necessary.

Profanity – The FID investigation revealed that Detective Ruiz utilized profanity while giving Duhaney commands to move from a flower bed in front of 5461 Kester Avenue area prior to officers approaching and taking Frazier Jr. into custody. Captain Oddo advised that this issue

³⁴ Detective Whitney, Page 43, Lines 11-15

³⁵ Detective Whitney, Page 43, Lines 17-19

was addressed with Officer Detective Ruiz through the issuance of an Employee Comment Sheet. The Commanding Officer of DSG and the Director of OSO concurred with this action. As such, I deem no further action is necessary.

Viewing Video Prior to FID Interview – According to the FID investigation, prior to Detective Whitney's FID interview, Detective Whitney, while under the monitoring of Sergeant Blanchard, viewed a KTTV Fox 11 Los Angeles news' video of his OIS which was sent to him via cellular phone by Detective Jose Hidalgo, Serial No. 37553, GND. Captain Oddo advised that this issue was addressed with Detective Hidalgo through the issuance of an Employee Comment Sheet. The Commanding Officer of DSG and the Director of OSO concurred with this action. This deviation with Detective Whitney and Sergeant Blanchard was addressed through the initiation of a personnel complaint investigation. As such, I deem no further action is necessary.

Body Worn Video (BWV) Activations – The investigation revealed Sergeant Blanchard had two BWV's related to this incident. The first BWV did not have the full two-minute buffer and captured Sergeant Blanchard responding Code Three from the Van Nuys CPS to the help call. The first BWV ends as Sergeant Blanchard is receiving a PSS from an involved officer. Sergeant Blanchard's second BWV starts and ends as Sergeant Blanchard is standing at the Command Post.

This issue was brought to the attention of Captain R. Lopez, Serial No. 30058, Van Nuys Patrol Division, Commanding Officer, who advised this deviation was addressed through Counseling, an Informal Meeting, and the generation of a Supervisory Action Item (SAI). The Commanding Officer of OVB and the Director of Office of Operations (OO) concurred with this action. As such, I deem no further action is necessary.

The Office of Operations conducted a random inspection of BWVs associated to Sergeant Blanchard from June 1, 2020 through June 31, 2020, for compliance with BWV and DICVS policies. The results of the inspection indicated no buffering concerns.

The investigation revealed Officer Guajardo had two BWV's related to this incident. The first BWV did not have a full two-minute buffer and captured Officer Guajardo driving enroute to the Help Call. The first BWV ends while Officer Guajardo is observed standing at his police vehicle. The second BWV starts as Officer Guajardo is standing to the courtyard of an apartment building and ends with him entering an apartment and conducting a search.

This issue was brought to the attention of Captain Lopez who advised this deviation was addressed through Counseling, an Informal Meeting, and the generation of a SAI. The Commanding Officer of OVB and the Director of OO concurred with this action. As such, I deem no further action is necessary.

The Office of Operations conducted a random inspection of BWVs associated to Officer Guajardo from June 1, 2020 through June 31, 2020, for compliance with BWV and DICVS policies. The results of the inspection indicated two deviations from BWV policy. These identified concerns were handled through the issuance of a Notice to Correct Deficiencies.

The investigation revealed Officer Ortiz had two BWVs related to this incident. The first BWV did not have a full two-minute buffer and captured Officer Ortiz driving enroute to the Help Call. The first BWV ends as Officer Ortiz is standing in the entrance of an apartment building. The second BWV starts as Officer Ortiz is standing in the driveway of an apartment building and ends when an unidentified Department supervisor hands the BWV device to an FID investigator.

This issue was brought to the attention of Captain Lopez who advised this deviation was addressed through Counseling, an Informal Meeting, and the generation of a SAI. The Commanding Officer of OVB and the Director of OO concurred with this action. As such, I deem no further action is necessary.

The Office of Operations conducted a random inspection of BWVs associated to Officer Ortiz from June 1, 2020 through June 31, 2020, for compliance with BWV and DICVS policies. The results of the inspection indicated no buffering concerns.

Body Worn Video (BWV) De-activation – The investigation revealed Officer Villegas deactivated his BWV after the OIS and while standing in front of 5461 Kester Avenue. According to Officer Villegas, he was instructed by Officer Vela to stop his BWV after the OIS but prior to being directed to do so by a Department supervisor.

This issue was brought to the attention of Captain Lopez who advised this deviation was addressed through Counseling, an Informal Meeting, and the generation of a SAI. The Commanding Officer of OVB and the Director of OO concurred with this action. As such, I deem no further action is necessary.

The Office of Operations conducted a random inspection of BWVs associated to Officer Villegas from June 1, 2020 through June 31, 2020, for compliance with BWV and DICVS policies. The results of the inspection indicated no buffering concerns.

Audio/Video Recordings

Digital In-Car Video System (DICVS) – At the time of the OIS, Van Nuys Division Patrol Division uniformed Officers Vela and Villegas were the only officers at scene driving a police vehicle equipped with a DICVS. The DICVS in their vehicle did not capture the OIS; however, it did record the sounds of the shots fired. There were five additional police vehicles, equipped with DICVS, that responded to the Help Call and did not capture the OIS.

Body Worn Video (BWV) – At the time of the OIS, Van Nuys Patrol Division uniformed Officers Vela and Villegas were the only officers at scene equipped with BWV. Both officers activated their BWV's, and their BWV's captured the foot pursuit, portions of the OIS, and the handcuffing of Frazier Jr. There were two, two-officer units, from Van Nuys Patrol Division at scene shortly after the OIS. All the officers activated their BWV's and captured Frazier Jr.'s handcuffing. Two Van Nuys Patrol Division uniformed field sergeants also responded to the help call. The two Sergeants activated their BWV's as required per Department Policy. Sergeant Lankford activated her BWV while responding to the OIS scene, and it captured her

actions as she coordinated the arrest team and Frazier Jr.'s handcuffing. Sergeant Blanchard activated his BWV while responding to the OIS, and it did not capture the OIS.

Outside Video/Surveillance – According to the FID investigation, KTTV Fox 11 Los Angeles news was in the area and captured portions of the OIS on video. The video captured Detective Whitney's second and third gunshots as well as the gunshot fired by Frazier Jr. KTTV Fox 11 Los Angeles edited the video footage before it was released to its viewers. Frazier Jr.'s body was blurred at the time of the OIS. The video depicts Detective Whitney standing in front of his vehicle, pointing his shotgun at Frazier Jr., who was laying on the sidewalk. Frazier Jr.'s head was pointed in a southwest direction, his feet pointed toward the curb of Kester Avenue, and his back was towards Detective Whitney. Duhaney was standing in a planter, with his hands raised to shoulder level, south of the main entrance of 5461 Kester Avenue.

According to the FID investigation, the video footage from KTTV Fox 11 Los Angeles captured Detective Whitney firing his second round at Frazier Jr., and approximately two seconds later, Detective Whitney fired his third round at Frazier Jr. Approximately two seconds later, the sound of the gunshot fired by Frazier Jr. was heard. A small cloud of dust and debris can be seen next to Frazier Jr.'s head after Frazier Jr. fired his handgun. Detective Whitney then redeployed to the front passenger side door of his vehicle. Simultaneously, Detective Lopez stepped in front of his vehicle, which was parked in the number one southbound lane of Kester Avenue.

Force Investigation Division Detectives served a search warrant in attempt to obtain the unedited video footage from KTTV Fox 11 Los Angeles; however, KTTV Fox 11 Los Angeles's legal department refused to honor the search warrant. As of the submission of this report, the unedited video footage had not been received by FID.

On October 16, 2016, at approximately 1630 hours, Witness Joel Whitley provided an approximately 39-second-long video to FID Detective Barajas. The video was post OIS, and it depicted Frazier Jr. laying on the sidewalk, handcuffed, and Officers Vela and Villegas standing next to him. Witness Whitley advised he used his cellular telephone to record the video. Detective Salguero booked the video at Information Technology Division (ITD), and he was given Sound Recording Tape Issue/Receipt No. 659432.

FID investigators canvassed the area of the 5400 block of Kester Avenue and obtained video surveillance footage from the apartment complex which Frazier Jr. resided. The surveillance camera recorded Frazier Jr. walking out of the apartment complex at 10:16:42 hours.

Chief's Direction

I have directed the Director of OSO to complete a review and analysis of all GND Categorical Use of Force (CUOF) investigations dating back five years from 2015 through 2020. The Director of OSO will conduct an analysis of GND operations including requisite training, lesson plans, written Standard Operating Procedures (SOP), and the tracking of the training of personnel. The analysis will also include an assessment of the process of the completion, review, and approval of all GND Tactical Plans and Operations Plans. The Director of OSO will

The Honorable Board of Police Commissioners

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3.2

coordinate with the Director of the Office of Constitutional Policing to expedite the revision of the Operation Plan, LAPD Form 12.22.00 and its standardization throughout the Department.

Respectfully,



MICHEL R. MOORE
Chief of Police

Date: _____

8-6-20

| | | | | |
|--|---|--|--|--|
| Employee (Last Name, First, Middle) Whitney, Michael | | Serial No. 37517 | Rank/Class Detective I | Incident No. 049-19 |
| Length of Employment 14 years, 6 months | Current Division Gang and Narcotics | | Time in Current Division 2 years, 7 months | |
| Use of Force Review Board | | Chief of Police | | Police Commission |
| Tactics <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval | | Tactics <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval | | Tactics <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval |
| Drawing and Exhibiting the Firearm <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Drawing and Exhibiting the Firearm <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Drawing and Exhibiting the Firearm <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
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| Non-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Non-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Non-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| Unintentional Discharge <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) | | Unintentional Discharge <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) | | Unintentional Discharge <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) |
| Other Issues <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Other Issues <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Other Issues <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| <p>Notes:</p> <div style="text-align: center;"> <p>RECEIVED</p> <p>AUG 14 2020</p> <p>OFFICE OF THE INSPECTOR GENERAL</p> </div> <div style="text-align: right;"> <p>RECEIVED POLICE COMMISSION 2020 AUG 10 PM 2:18</p> </div> | | | | |
| Final Adjudication for Out of Policy/ Administrative Disapproval Finding <input type="checkbox"/> Extensive Retraining <input type="checkbox"/> Notice to Correct Deficiencies <input type="checkbox"/> Personnel Complaint <input type="checkbox"/> Employee's Work History Reviewed | | Notes: | | |

*A Tactical Debrief shall be conducted for all Categorical Use of Force Incidents.

| | | | | |
|---|--|---|--|-------------------------------|
| Employee (Last Name, First, Middle) Oddo, Anthony | | Serial No. 26588 | Rank/Class Captain III | Incident No. 049-19 |
| Length of Employment 30 years, 8 months | | Current Division Gang and Narcotics | Time in Current Division 0 years, 5 months | |

| Use of Force Review Board | Chief of Police | Police Commission |
|---|---|---|
| <u>Tactics</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input checked="" type="checkbox"/> Administrative Disapproval | <u>Tactics</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input checked="" type="checkbox"/> Administrative Disapproval | <u>Tactics</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval |
| <u>Drawing and Exhibiting the Firearm</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | <u>Drawing and Exhibiting the Firearm</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | <u>Drawing and Exhibiting the Firearm</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| <u>Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | <u>Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | <u>Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| <u>Less-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | <u>Less-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | <u>Less-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| <u>Non-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | <u>Non-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | <u>Non-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| <u>Unintentional Discharge</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) | <u>Unintentional Discharge</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) | <u>Unintentional Discharge</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) |
| <u>Other Issues</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | <u>Other Issues</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | <u>Other Issues</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |

Notes:

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| <u>Final Adjudication for Out of Policy/ Administrative Disapproval Finding</u> <input type="checkbox"/> Extensive Retraining <input type="checkbox"/> Notice to Correct Deficiencies <input type="checkbox"/> Personnel Complaint <input type="checkbox"/> Employee's Work History Reviewed | Notes: |
|---|--------|

***A Tactical Debrief shall be conducted for all Categorical Use of Force Incidents.**

| | | | | |
|--|---|--|---|--|
| Employee (Last Name, First, Middle) Phillips, Marc | | Serial No. 26412 | Rank/Class Detective II | Incident No. 049-19 |
| Length of Employment 30 years, 11 months | Current Division Gang and Narcotics | | Time in Current Division 10 years, 9 months | |
| Use of Force Review Board | | Chief of Police | | Police Commission |
| Tactics <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input checked="" type="checkbox"/> Administrative Disapproval | | Tactics <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input checked="" type="checkbox"/> Administrative Disapproval | | Tactics <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval |
| Drawing and Exhibiting the Firearm <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Drawing and Exhibiting the Firearm <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Drawing and Exhibiting the Firearm <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| Less-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Less-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Less-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| Non-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Non-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Non-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| Unintentional Discharge <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) | | Unintentional Discharge <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) | | Unintentional Discharge <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) |
| Other Issues <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Other Issues <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Other Issues <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| Notes: | | | | |
| Final Adjudication for Out of Policy/ Administrative Disapproval Finding <input type="checkbox"/> Extensive Retraining <input type="checkbox"/> Notice to Correct Deficiencies <input type="checkbox"/> Personnel Complaint <input type="checkbox"/> Employee's Work History Reviewed | | Notes: | | |

*A Tactical Debrief shall be conducted for all Categorical Use of Force Incidents.

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|--|--|--|---|--|
| Employee (Last Name, First, Middle) Vela, Arturo | | Serial No. 38872 | Rank/Class Police Officer III | Incident No. 049-19 |
| Length of Employment 12 years, 2 months | | Current Division Van Nuys | Time in Current Division 9 years, 2 months | |
| Use of Force Review Board | | Chief of Police | | Police Commission |
| <u>Tactics</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> Tactical Debrief MAJORITY <input checked="" type="checkbox"/> Administrative Disapproval MINORITY | | <u>Tactics</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval | | <u>Tactics</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval |
| <u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| <u>Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| <u>Less-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Less-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Less-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| <u>Non-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Non-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Non-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| <u>Unintentional Discharge</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) | | <u>Unintentional Discharge</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) | | <u>Unintentional Discharge</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) |
| <u>Other Issues</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Other Issues</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Other Issues</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| Notes: | | | | |
| <u>Final Adjudication for Out of Policy/ Administrative Disapproval Finding</u> <input type="checkbox"/> Extensive Retraining <input type="checkbox"/> Notice to Correct Deficiencies <input type="checkbox"/> Personnel Complaint <input type="checkbox"/> Employee's Work History Reviewed | | Notes: | | |

*A Tactical Debrief shall be conducted for all Categorical Use of Force Incidents.

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|--|-------------------------------------|---|--|---|
| Employee (Last Name, First, Middle) Villegas, Jose | | Serial No. 43743 | Rank/Class Police Officer I | Incident No. 049-19 |
| Length of Employment 1 year, 0 months | Current Division Van Nuys | | Time in Current Division 0 years, 6 months | |
| Use of Force Review Board | | Chief of Police | | Police Commission |
| <u>Tactics</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval | | <u>Tactics</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval | | <u>Tactics</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval |
| <u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| <u>Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| <u>Less-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Less-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Less-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| <u>Non-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Non-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Non-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| <u>Unintentional Discharge</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) | | <u>Unintentional Discharge</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) | | <u>Unintentional Discharge</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) |
| <u>Other Issues</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Other Issues</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Other Issues</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| Notes: | | | | |
| <u>Final Adjudication for Out of Policy/ Administrative Disapproval Finding</u> <input type="checkbox"/> Extensive Retraining <input type="checkbox"/> Notice to Correct Deficiencies <input type="checkbox"/> Personnel Complaint | | Notes: | | |
| <input type="checkbox"/> Employee's Work History Reviewed | | | | |

*A Tactical Debrief shall be conducted for all Categorical Use of Force Incidents.

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|--|---|--|-----------------------------------|--|
| Employee (Last Name, First, Middle) Lopez, Antonio | | Serial No. 35588 | Rank/Class Detective II | Incident No. 049-19 |
| Length of Employment 19 years, 9 months | Current Division Gang and Narcotics | Time in Current Division 6 years, 2 months | | |
| Use of Force Review Board | | Chief of Police | | Police Commission |
| Tactics <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval | | Tactics <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval | | Tactics <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval |
| Drawing and Exhibiting the Firearm <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Drawing and Exhibiting the Firearm <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Drawing and Exhibiting the Firearm <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| Less-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Less-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Less-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| Non-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Non-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Non-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| Unintentional Discharge <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) | | Unintentional Discharge <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) | | Unintentional Discharge <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) |
| Other Issues <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Other Issues <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Other Issues <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| Notes: | | | | |
| Final Adjudication for Out of Policy/ Administrative Disapproval Finding <input type="checkbox"/> Extensive Retraining <input type="checkbox"/> Notice to Correct Deficiencies <input type="checkbox"/> Personnel Complaint <input type="checkbox"/> Employee's Work History Reviewed | | Notes: | | |

***A Tactical Debrief shall be conducted for all Categorical Use of Force Incidents.**

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|---|---|---|--|---|
| Employee (Last Name, First, Middle) Ruiz, Joel | | Serial No. 35739 | Rank/Class Detective I | Incident No. 049-19 |
| Length of Employment 19 years, 4 months | Current Division Gang and Narcotics | | Time in Current Division 0 years, 5 months | |
| Use of Force Review Board | | Chief of Police | | Police Commission |
| <u>Tactics</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval | | <u>Tactics</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval | | <u>Tactics</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval |
| <u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Drawing and Exhibiting the Firearm</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| <u>Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| <u>Less-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Less-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Less-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| <u>Non-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Non-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Non-Lethal Use of Force</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| <u>Unintentional Discharge</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) | | <u>Unintentional Discharge</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) | | <u>Unintentional Discharge</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) |
| <u>Other Issues</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Other Issues</u> <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | <u>Other Issues</u> <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| Notes: | | | | |
| <u>Final Adjudication for Out of Policy/ Administrative Disapproval Finding</u> <input type="checkbox"/> Extensive Retraining <input type="checkbox"/> Notice to Correct Deficiencies <input type="checkbox"/> Personnel Complaint <input type="checkbox"/> Employee's Work History Reviewed | | Notes: | | |

***A Tactical Debrief shall be conducted for all Categorical Use of Force Incidents.**

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|--|--|--|--|--|
| Employee (Last Name, First, Middle) Lankford, Amanda | | Serial No. 40423 | Rank/Class Sergeant I | Incident No. 049-19 |
| Length of Employment 9 years, 7 months | | Current Division Van Nuys | Time in Current Division 0 years, 4 months | |
| Use of Force Review Board | | Chief of Police | | Police Commission |
| Tactics <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval | | Tactics <input type="checkbox"/> Does Not Apply <input checked="" type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval | | Tactics <input type="checkbox"/> Does Not Apply <input type="checkbox"/> Tactical Debrief <input type="checkbox"/> Administrative Disapproval |
| Drawing and Exhibiting the Firearm <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Drawing and Exhibiting the Firearm <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Drawing and Exhibiting the Firearm <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| Less-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Less-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Less-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| Non-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Non-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Non-Lethal Use of Force <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |
| Unintentional Discharge <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) | | Unintentional Discharge <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) | | Unintentional Discharge <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> Accidental <input type="checkbox"/> Negligent (Administrative Disapproval) |
| Other Issues <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Other Issues <input checked="" type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) | | Other Issues <input type="checkbox"/> Does Not Apply <input type="checkbox"/> In Policy (No Further Action) <input type="checkbox"/> Out of Policy (Administrative Disapproval) |

Notes:

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| Final Adjudication for Out of Policy/ Administrative Disapproval Finding <input type="checkbox"/> Extensive Retraining <input type="checkbox"/> Notice to Correct Deficiencies <input type="checkbox"/> Personnel Complaint <input type="checkbox"/> Employee's Work History Reviewed |
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Notes:

***A Tactical Debrief shall be conducted for all Categorical Use of Force Incidents.**